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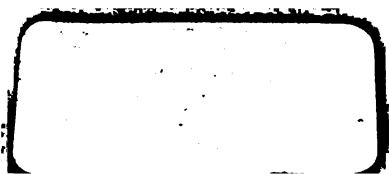
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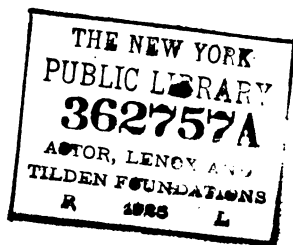
THE
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ORATOR'S OWN BOOK

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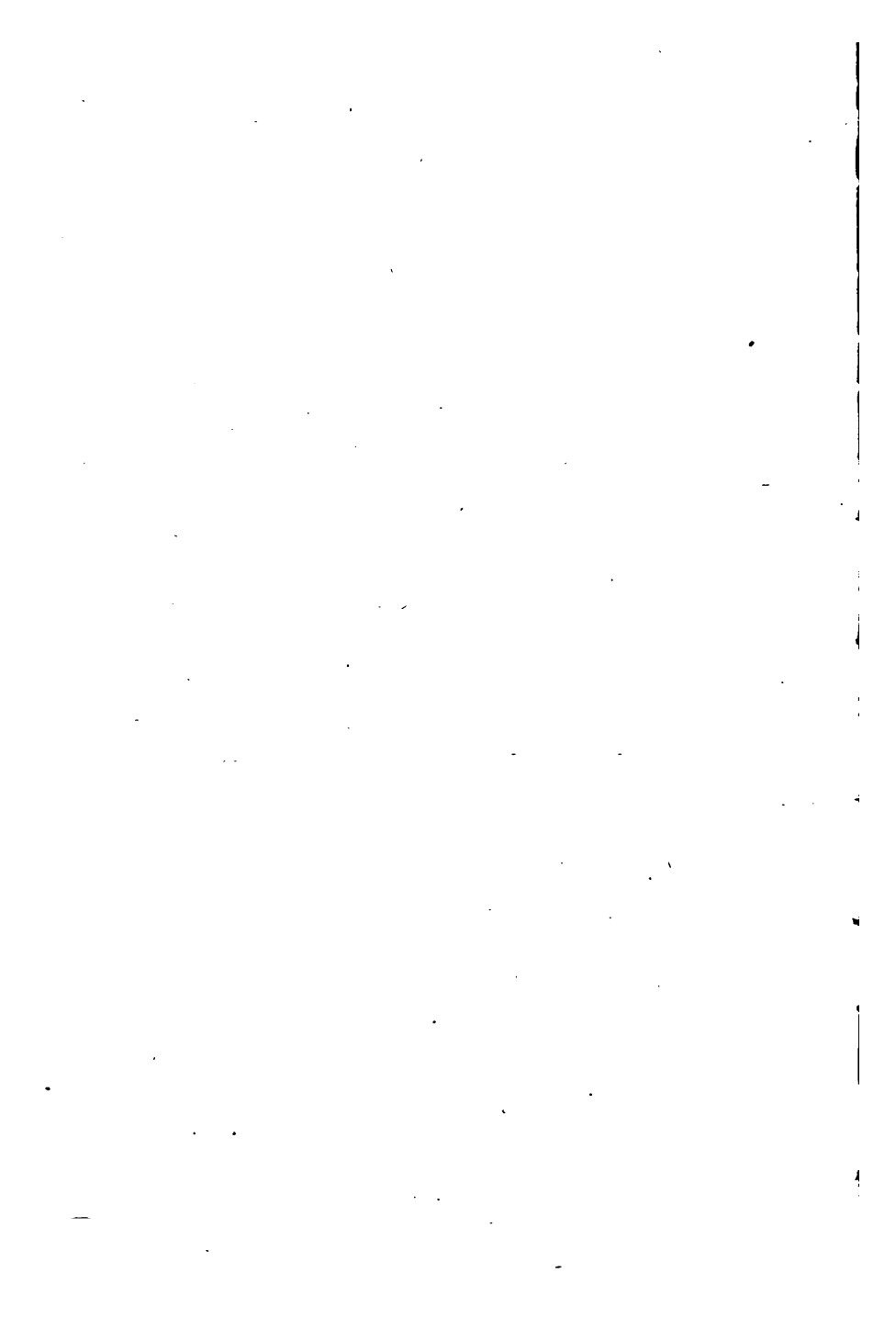
TO THE
YOUNG MEN OF AMERICA

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INTRODUCTION.

THE young men of America have a responsibility, which none but a thoughtful mind can fully appreciate. The present is a period of no small interest in the history of this Republic, and it is not rash to say, that this interest is greatly increased in view of the character and training of the youth of the nation. Any effort to place before them worthy motives and ends, in the pursuit and accomplishment of which ambition may have its fullest play, is certainly worthy of regard, whatever may be its results. Books, at the present day, are multiplied without number, yet good books need no apology. To reproduce the thoughts of the master-minds of the past, is no less a good work, than to bring forth gems from the stores of living genius. And there are times when the voice of the past has more influence than the voice of the present. Those who have passed into their graves are generally less the subjects of suspicion than those who now live, and are actively engaged in the world's affairs. Passion and prejudice may shut out the proper weight of the influence of the living, but passion and prejudice tread lightly on the sanctuaries of the dead.

The principles and influences which have conspired to make us what we are, as a nation, ought to be engraven

on the tablet of every heart. They belong not to any one generation, nor to a single period of time, but to all generations and all ages. We find those principles put forth and defended by the master-spirits of our own revolutionary period, but the germ we can trace back to the greatest and best minds of our fatherland. There were ties of friendship, no less than of kindred, which endeared the colonies to the mother country, and which led to that noble exposition and defence of our rights, which cannot fail to make us proud of our heritage. The privileges of freemen were discussed in the British Parliament previous to the existence of a Continental Congress, and there is not extant, a more noble defence of those rights, for which our fathers bled, than was there produced. There was a disinterestedness of feeling, noble as was ever manifest, which struggled for the right, and was content thus to struggle, assured that truth, which is ever mighty, must prevail.

While the feelings are raised to their sublimest elevation in the contemplation of the past, it cannot be denied, that they are somewhat depressed in the contemplation of the present. Though liberty be not less dear, ambition is more powerful. Liberty has been cherished around the fireside until it has become a household word, and the most reckless would be loath to see it depart; but passions and prejudices are suffered to arise and creep in, which tend to subvert it, or make it but an empty name. Those who exercise the least love, manifest the most pretension. There is a standpoint, from which we can calmly look over the ground, and see what it contains. We can know, now, as well as our fathers, the true principles of civil government, and the proper dimensions of human freedom. An eye to the present, will, however, convince us, that the spirit of those fathers is growing less. There is not that pure

patriotism which looks only at great principles, which it is desirable, and even necessary, should exist. It seems to be a rule of the times to conform to the circumstances in which one is placed, and not unfrequently, those circumstances call for a most curious warping of principles to meet their demands. The path of the politician is often as wonderfully zigzag as the most difficult ascent of the mountain Alps. This feature of political life is too painfully evident to be overlooked, and too alarmingly frequent not to cause serious apprehensions. So far is it practised by the would-be leaders of both political parties, and by those who sustain them, that a breach of truth is scarcely deemed a breach of propriety. It seems to be taken for granted, that anything which will advance their interests is perfectly legitimate, whatever, in other respects, may be its character or tendency. This is but too true of men and things, as they are at the present day. Their example we cannot but wish the young men of this land to shun, in proportion as we love our country and her institutions. No one can feel indifferent between the choice of that present expediency which would rule, though it eventually ruin, and those pure principles of patriotism which would rule to prevent ruin.

At such a period it cannot fail to be appropriate to reproduce, as it were, the sterling integrity which was exhibited in the time that tried men's souls. There needs this precious influence intermingling with the present, to raise the body politic to a healthier tone.

There must be something of powerful action to expel from the political system those corrupt humors which otherwise, perchance, may generate disease beyond the help of physical skill. To this end there must be a healthful education of the young men of the land. Present success must not be allowed to triumph over right, and the universal good. We have an illustration of this

truth in the councils of the British King during our struggle for independence. It was there thought that the resources of the nation were sufficient to compel submission, whether right or wrong. Most truthfully was the result portrayed by her wisest legislators, but royal pride would not be instructed. Repeated insolence led to the shedding of blood, and let loose the god of war. For seven long years did he reign in his wildest fury, but no sooner was he dethroned, and the black clouds which marked his desolating course cleared away, than there was revealed the brightest and happiest of lands.

We may thence learn that power and authority are not always the sure presages of success. If there be a disregard to right, no authority, however potent, shall long succeed. What an admonition to designing men, from every section of our Union, who insist upon sectional interests above the universal good. Had they the power, it would doubtless be used for the prosecution of those interests, and we should soon see civil discords, under which this Republic could not stand. All the boasted rights of a free people would then be exposed to a severer ordeal than fell to the lot of our fathers.

Let designing men take warning, and stay their course ere we come to such a crisis. Who would not choose the fame of Chatham, of Pitt, of Burke, and of Fox, and their triumph too, though in the minority, to that of all who ingloriously opposed them in the defence of our rights, and who would not choose the fame of the instruments of our present blessings, to that fancied glory which some would acquire, though compelled to stand on the wreck of a nation's greatness. The warm sympathy of every American kindles at the recital of their eloquence, and its last dying echoes seem yet falling upon our ears, and the just indignation of every freeman

kindles at the intent of such wrongs. We must learn, that to be right is to be strong, and we must infuse this sentiment into the minds of those who shall come after us. A righteous minority is always to be preferred to a reckless majority. The noble deeds of the one will be hal-
lowed by the wise and good in after-years, while the self-
ish actions of the other will be forgotten, or remembered
only in connection with the wrongs they have perpetrated. The ambition to be in the ascendant at all hazards
is the fitting ambition of knaves and tyrants, but not of
Republicans and freemen. May the time never come,
when party spirit shall rise above the love of country,
and seek to appropriate to itself present honors, at the
expense of future peace.

There is something so noble in the exhibition of a
genuine patriotism, that it is not a matter of surprise
that demagogues attempt to pass current with a counter-
feit coin.

It is perhaps strange, that with all the varied excel-
lencies of the true, there should be an attempt at the
false. The five smooth stones of the brook had more
efficacy than the choicest armor and heaviest coat of
mail. Their naturalness left the youth free, and by their
use in the exercise of his vigorous powers, he was more
mighty than his mighty foe. Why does not the con-
strained political aspirant learn this truth, and laying
aside his unwieldy, because unnatural exterior, adopt
those pure principles which will allow of the greatest
freedom, and at the same time secure the greater and
better results. Men are ambitious for place and power
for which they have not the requisite qualifications, and
become the trumpeters of their own fame for the most sin-
ister ends. Principles on which any dependence can be
placed they have not, but in professions they are not
wanting. There are some such persons who are strug-

gling for political elevation, in every section of our land, and to mark them is the duty of every freeman. Corrupt men have in other days destroyed happy governments, and if ours should ever fall, it will be by the same instrumentality. It becomes then, a question of importance second to no other, how competent and true men shall be elevated to the highest offices of civil government. The destiny of this nation is of too much consequence to be readily committed to the hands of misguided and time-serving men. This Republic, the wonder and praise of the earth, must live, and its union be perpetuated until the inhabitants of this continent and the world shall recline in the shade of the tree of liberty.

It is sometimes charged upon us that we are betrayed into a spirit of egotism ; and it is a proper reply that no people can indulge in such a spirit more blamelessly than ourselves. The past and the present justly conspire to make us proud of our heritage. In the infancy of our national existence we shook off the oppressor's yoke ; in our youth we have become the admiration of the world, and may we not hope that in our manhood we shall be a blessing to mankind. In the political horizon of the future there may rise up ominous clouds, yet if we be true to ourselves they shall pass away, leaving a serene sky to smile over the happy millions of future generations. We have a country surpassing an empire in magnificence, and yet it is only invested with the simple grandeur of Republican dignity. We have lords, but they are lords of the soil, proud of no title so much as of freedom's sons.

The blessings and honors of the land are unconfined. To win them no one can count upon advantages which are not open to all ; and with few exceptions, the prize is the award of merit. To maintain our institutions thus, should be the pride of every American. Long may the

day be distant, when this, our characteristic glory shall have departed. The land of Washington, and of Franklin, of Henry, and of Lee of Adams and of Jefferson, must continue to be the hope and the asylum of the oppressed. And what an incentive are these illustrious examples to the cultivation of a like pure patriotism, that on the altar of liberty there may continue to burn that pure incense which shall be a sweet savor to all lands. How eminent are the advantages of the young men of this Republic. They have set before them all that is pure in patriotism, noble in principle, elevated in character, and lofty in aims. "Scorn to be slaves!" yet rings out from the voice of the past, and bids us take that commanding attitude which must ever command the respect of the civilized world. These examples should be studied until we catch their very spirit, and breathe the atmosphere which infused into them such a life. If difficulties arise, they have their solution in the conduct of those noble-minded sires. The honest inquiry, how would Washington or Jefferson have acted in similar circumstances, will take away every ignoble aim, and leave uppermost in our minds, love of country. And if, in the future, questions of importance should agitate the land, and threaten its peace, all shall be borne safely through, if we but emulate their spirit. The charge of the interests of this nation, shortly to be transmitted to its young men, should be gravely considered, and most seriously pondered. Liberty here, and incidentally the cause of human freedom throughout the world, is too weighty a trust not to be watched with the tenderest care. Let the young men of this nation see to their work. The pure patriotism of other days must be transmitted to posterity, that the latest generation may drink as deeply of its spirit as our fathers in their

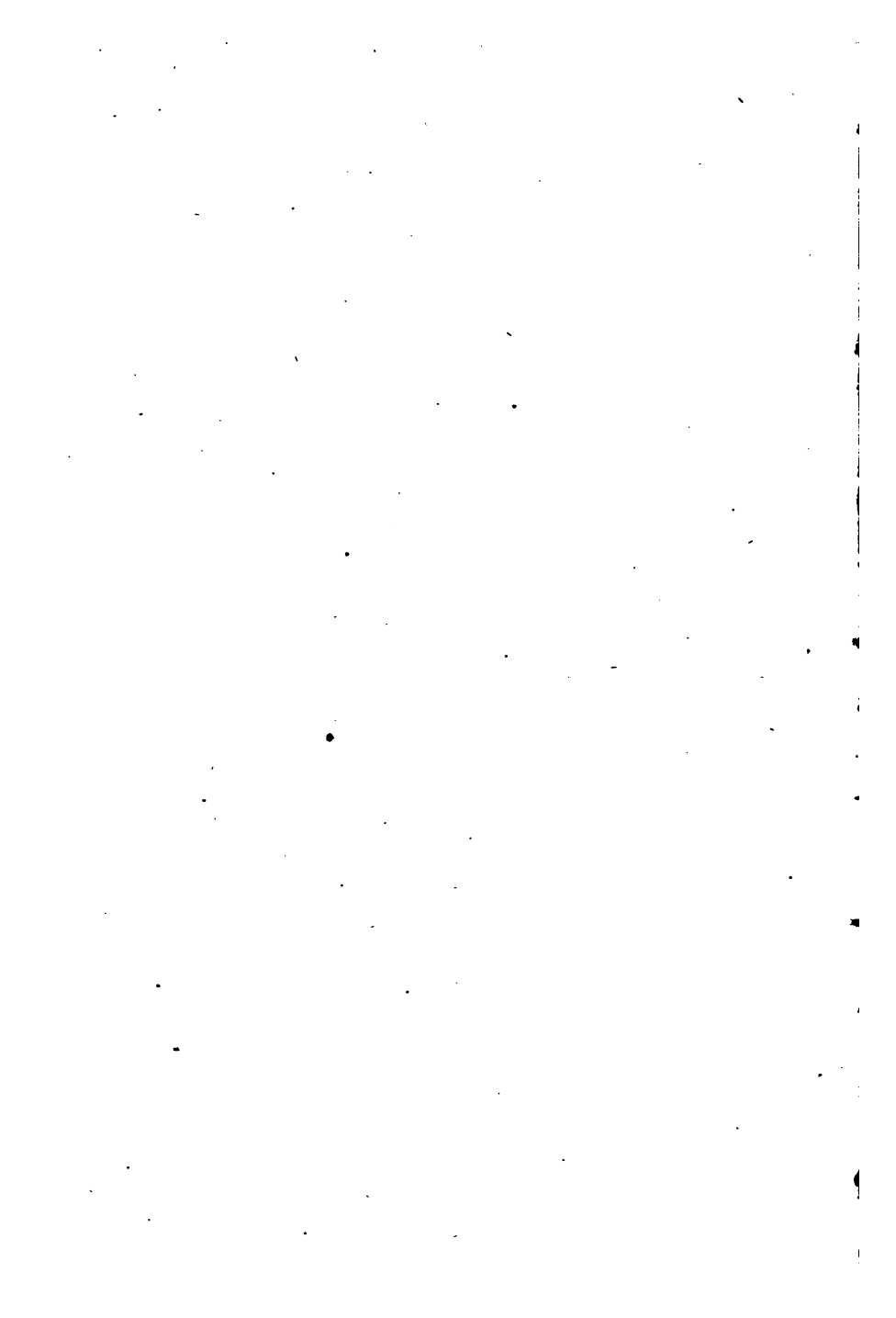
days of trial. Then shall this freest of all lands continue to be the home and the asylum of the oppressed. Then shall the sun in his circuit enliven no brighter spot than our own happy America

CONTENTS.

	PAGE
INTRODUCTION.....	5
Fox's Eulogy on General Washington in the British Parliament— 1794.....	17
Speech of the Irish Orator Phillips, previous to proposing as a Toast, at a Public Dinner in Ireland, "The Immortal Memory of George Washington".....	19
Lord Chatham on an Address to the King.....	23
Pitt on an Address to the King—January, 1776.....	24
Colonel Barre on American Affairs.....	27
Colonel Barre in Reply to one of the Ministry.....	32
Lord Chatham on the Bill for Quartering Soldiers in Boston—1774.....	33
Burke on American Taxation—1774.....	34
Burke's View of Chatham's Administration.....	43
Lord Chatham on his Motion to Remove the Troops from Boston...	50
Lord Camden on seconding the same.....	55
Burke on American Affairs—March, 1775.....	55
Burke on Conciliation with America.....	56
Marquis of Granby on American Affairs.....	59
Lord Effingham on Resigning his Commission, rather than bear Arms against America.....	61
Lord Chatham on an Address to the King.....	63
Lord Chatham on an Address to the King.....	66
Lord Chatham on his Motion to amend the Address.....	68
Lord Chatham on the Employment of Indians against America....	70
Fox on the Arrival of the News of the Battle of Guilford Court- House.....	72
Pitt in the same Debate.....	75

	PAGE
Fox on the Arrival of the News of the Surrender of Cornwallia.....	76
Burke on the Right to instruct Representatives	78
Burke on the Right to tax America—1781.....	80
Burke's Description of Junius.....	81
Burke on Penal Statutes against the Catholics.....	82
Dr. Shipley on Toleration.....	90
Lord Chatham in Reply to Lord Mansfield.....	93
Lord Chatham on the State of the Nation—1770.....	102
Lord Mansfield on the Delays of Justice.....	109
Sir William Meredith on Frequent Executions.....	114
William Pitt on Economical Reform.....	120
Beaufoy on his Motion to repeal the Test Laws.....	125
Fox on the same Subject.....	132
Burke on Fox's India Bill.....	136
Burke's Eulogy on Fox.....	139
Sheridan on the Trial of Warren Hastings.....	141
Burke's Eulogy on Sheridan's Speech.....	147
Petition of the Wife of Almas Ali Cawn to Warren Hastings.....	148
Lord Erskine on Cruelty to Animals.....	149
Erskine on the Federal Constitution.....	167
Erskine on the Liberty of the Press.....	168
Erskine's Address to the Jury on the Trial of Hardy.....	171
Grattan concerning Tithes.....	177
Curran on the Trial of Rowan.....	183
Curran in the case of Massy <i>versus</i> Headfort.....	186
Curran on a Motion to release Justice Johnson from illegal Imprisonment.....	188
Dr. Dodd before receiving Sentence of Death.....	192
Robert Emmett before receiving Sentence of Death.....	193
The Miller of Mansfield.....	199
True Patriotism at the Siege of Calais.....	202
Lord Walpole against Pitt.....	205
Pitt's Reply to the Charges of Walpole.....	206
Religion and Superstition contrasted.....	208
The Blind Preacher.....	212
Paul before Agrippa.....	215

	PAGE
The True Point of Honor.....	217
Griffin against Cheetham for a Libel.....	218
The Perfect Orator.....	220
Judge Story's Centennial Address.....	221
Dr. Joseph Warren's Oration at Boston—1772.....	224
Governor Livingston to the Council and General Assembly of New Jersey.....	225
Jacob Henry in the North Carolina Legislature.....	227
Fisher Ames on the British Treaty.....	230
Wirt on the Trial of Aaron Burr.....	232
Richard Rush on Impressment of American Seamen.....	236
Patrick Henry before a Convention of Delegates, Virginia.....	250
Character of Washington.....	253
General Washington to Congress on accepting his Commission.....	256
General Washington to his Troops, previous to the Battle of Long Island.....	257
General Washington to his Troops, previous to the Battle of Trenton.....	258
General Washington's Circular Letter to the Governors of the Several States.....	259
General Washington to Congress on resigning his Commission.....	269
The Answer of General Mifflin, President of Congress.....	270
Washington's Farewell Address to the Army.....	271
The Mayor of Alexandria to Washington.....	275
Washington's Farewell Address.....	281
Chief Justice Marshall on Announcing the Death of Washington.....	297
General Lee's Funeral Oration on the Death of Washington.....	299
Inaugural Message of John Adams—March 4, 1797.....	303
Inaugural Message of Thomas Jefferson—March 4, 1801.....	309
Inaugural Message of James Madison—March 4, 1809.....	314
Webster on the Lives of John Adams and Thomas Jefferson.....	317
Wirt's Eulogy on John Adams and Thomas Jefferson.....	321
Declaration of Independence.....	325
Constitution of the United States.....	330
On the American Union, by M. F. Tupper.....	349



THE BOOK OF ORATORY.

FOX'S EULOGY ON GENERAL WASHINGTON, IN THE BRITISH PARLIAMENT—1794.

How infinitely superior must appear the spirit and principles of General Washington, in his late address to Congress, compared with the policy of modern European courts! Illustrious man! deriving honor less from the splendor of his situation than from the dignity of his mind; before whom all borrowed greatness sinks into insignificance, and all the princes and potentates of Europe (excepting the members of our own family) become little and contemptible! He has had no occasion to have recourse to any tricks of policy or arts of alarm; his authority has been sufficiently supported by the same means by which it was acquired, and his conduct has uniformly been characterized by wisdom, moderation, and firmness. He, feeling gratitude to France for the assistance received from her in that great contest which secured the independence of America, did not choose to give up the system of neutrality in favor of this country. Having once laid down that line of conduct, which both gratitude and policy pointed out as most proper to be pursued, not all the insults or provocation of the French minister Genet could at all put him out of his way, or bend him from his purpose. Entrusted with the care of the welfare of a great people, he did not allow the misconduct of another, with respect to himself, for one moment to interrupt the duty which he owed to them, or withdraw his attention from their interests. He had no fear of the Jacobins; he felt no alarm from their principles,

9

and considered no precaution as necessary in order to stop their progress. The people over whom he presided, he knew to be acquainted with their rights and their duties. He trusted to their own good sense to defeat the effect of those arts which might be employed to inflame or mislead their minds; and was sensible that a government could be in no danger, while it retained the attachment and confidence of its subjects—attachment, in this instance, not blindly adopted, confidence not implicitly given, but arising from the conviction of its excellence, and the experience of its blessings. I cannot indeed help admiring the wisdom and the fortune of this great man; not that by the phrase *fortune* I mean in the smallest degree to derogate from his merit. But, notwithstanding his extraordinary talents and exalted integrity, it must be considered as singularly fortunate, that he should have experienced a lot, which so seldom falls to the portion of humanity, and have passed through such a variety of scenes, without stain and without reproach. It must indeed create astonishment, that placed in circumstances so critical, and filling for a series of time, a station so conspicuous, his character should never once have been called in question; that he should in no one instance have been accused either of improper insolence, or of mean submission, in his transactions with foreign nations. It has been reserved for him to run the race of glory, without experiencing the smallest interruption to the brilliancy of his career. The breath of censure has not dared to impeach the purity of his conduct, nor the eye of envy to raise its malignant glance to the elevation of his virtues. Such has been the transcendent merit and the unparalleled fate of this illustrious man! But if the maxims now held forth were adopted, he who now ranks as the assertor of his country's freedom, and the guardian of its interests and honor, would be deemed to have disregarded and betrayed that country, and to have entailed upon himself indelible reproach. How did he act when insulted by Genet? Did he consider it as necessary to avenge himself for the misconduct or madness of an individual, by involving a whole continent in the horrors of war? No; he contented himself with procuring satisfaction for the insult, by causing Genet to be recalled: and thus at once consulted his own dignity and the

interests of his country. Happy Americans ! while the whirlwind flies over one quarter of the globe, and spreads everywhere desolation, you remain protected from its baneful effects, by your own virtues and the wisdom of your government. Separated from Europe by an immense ocean, you feel not the effects of those prejudices and passions which convert the boasted seats of civilization into scenes of horror and bloodshed. You profit by the folly and madness of the contending nations, and afford in your more congenial clime an asylum to those blessings and virtues which they wantonly condemn, or wickedly exclude from their bosom ! Cultivating the arts of peace under the influence of freedom, you advance by rapid strides to opulence and distinction ; and if by any accident you should be compelled to take part in the present unhappy contest, if you should find it necessary to avenge insult, or repel injury, the world will bear witness to the equity of your sentiments and the moderation of your views, and the success of your arms will, no doubt, be proportioned to the justice of your cause !

SPEECH OF THE IRISH ORATOR PHILLIPS, PREVIOUS TO
PROPOSING AS A TOAST, AT A PUBLIC DINNER IN
IRELAND, "THE IMMORTAL MEMORY OF GEORGE WASH-
INGTON."

THE mention of America has never failed to fill me with the most lively emotions. In my earliest infancy, that tender season, when impressions, at once the most permanent and the most powerful, are likely to be excited, the story of her then recent struggle raised a throb in every heart that loved liberty, and wrung a reluctant tribute even from discomfited oppression. I saw her spurning the luxuries that would enervate, and the legions that would intimidate ; dashing from her lips the poisoned cup of European servitude, and through all the vicissitudes of her protracted conflict, displaying a magnanimity that defied misfortune, and a moderation that gave new grace to victory. It was

the first vision of my childhood, it will descend with me to the grave.

But if as a man, I venerate the mention of America, what must be my feelings towards her as an Irishman? Never, while memory remains, can Ireland forget the home of her emigrant, and the asylum of her exile. No matter whether their sorrows were real or imaginary, that must be reserved for the scrutiny of those whom the lapse of time shall acquit of partiality. It is for the men of other ages to investigate and record it; but surely it is for the men of every age to hail the hospitality that received the shelterless, and love the feeling that befriended the unfortunate. Search creation round, where can you find a country that presents so sublime a view, so interesting an anticipation? The oppressed of all countries, the martyrs of every creed, the innocent victim of despotic arrogance or superstitious frenzy, may there find refuge; his industry encouraged, his piety respected, his ambition animated; with no restraint but those laws which are the same to all, and no distinction, but that which his merit may originate.

Who can deny that the existence of such a country presents a subject for human congratulation! Who can deny that its gigantic advancement offers a field for the most rational conjecture! Who shall say that when, in its follies or its crimes, the old world may have interred all the pride of its power, and all the pomp of its civilization, human nature may not find its destined renovation in the new! For myself, I have no doubt of it, I have not the least doubt that when our temples and our trophies shall have mouldered into dust, when the glories of our name shall be but the legend of tradition, philosophy will rise again in the sky of her Franklin, and glory rekindle at the urn of her WASHINGTON.

Is this the vision of a romantic fancy? Is it even improbable? Is it half so improbable as the events which for the last twenty years have rolled like successive tides over the surface of the European world, each erasing the impression that preceded it? Thousands upon thousands, sir, I know there are, who will consider this supposition as wild and whimsical; but they have

dwelt with little reflection upon the records of the past. They have but ill observed the never-ceasing progress of national rise, and national ruin. They form their judgment on the deceitful stability of the present hour, never considering the innumerable monarchies and republics in former days, apparently as permanent, whose very existence is now become a subject of speculation, I had almost said of skepticism.

I appeal to history. Tell me, thou reverend chronicler of the grave, can ambition, wealth, commerce, or heroism, secure to empire the permanency of its possessions? Alas! Troy thought so once, yet the land of Priam lives only in song! Thebes thought so once, yet her hundred gates have crumbled and her monuments are as the dust they were vainly intended to commemorate! So thought Palmyra; but where is she? So thought the countries of Demosthenes and Leonidas, yet Sparta is trampled by the timid slave, and Athens insulted by the servile Ottoman. The days of their glory are as if they had never been; and the island which was then a speck, rude and neglected in the barren ocean, now rivals the ubiquity of their commerce, the glory of their arms, the force of their philosophy, the eloquence of their senate, and the inspiration of their bards!

Who shall say then, contemplating the past, that England, proud and powerful as she appears, may not one-day be what Athens *is*, and the young America yet soar to be what Athens *was*? Who shall say, that when the European column shall have mouldered, and the night of barbarism obscured its very ruins, *that* mighty continent may not emerge from the horizon to rule for its time sovereign of the ascendant!

Such, sir, is the natural progress of human operations, and such the unsubstantial mockery of human pride. But I should, perhaps, apologize for this digression. The tombs are at best a sad, although an instructive subject. At all events, they are ill suited to such an hour as this. I shall endeavor to atone for it, by turning to a theme which tombs cannot inurn, or revolution alter.

It is the custom of your board, and a noble one it is, to deck the cup of the gay with the garland of the great. Allow me

to add one flower to the chaplet, which though it sprang in America, is no exotic; virtue planted it, and it is naturalized everywhere.

I see you concur with me that it matters very little what immediate spot may be the birth-place of such a man as WASHINGTON. No people can claim, no country can appropriate him. The boon of Providence to the human race, his fame is eternity, and his residence creation. Though it was the defeat of our arms, and the disgrace of our policy, I almost bless the convulsion in which he had his origin. In the production of WASHINGTON, it does really appear as if nature was endeavoring to improve upon herself, and that all the virtues of the ancient world were but so many studies preparatory to the patriot of the new. Individual instances no doubt there were; splendid examples of some single qualification. Cæsar was merciful, Scipio was continent, Hannibal was patient; but it was reserved for WASHINGTON to blend them all in one, and like the lovely master-piece of the Grecian artist, to exhibit in one glow of associated beauty, the pride of every model, and the perfection of every master.

As a general, he marshalled the peasant into a veteran, and supplied by discipline the absence of experience. As a statesman, he enlarged the policy of the cabinet into the most comprehensive system of general advantage; and such was the wisdom of his views, and the philosophy of his counsels, that to the soldier and the statesman, he almost added the character of the sage. A conqueror, he was untainted with the crime of blood; a revolutionist, he was free from any stain of treason, for aggression commenced the contest, and his country called him to the command. Liberty unsheathed his sword, necessity stained, victory returned it.

If he had paused here, history might have doubted what station to assign him, whether at the head of her citizens or soldiers, her heroes or her patriots. But the last glorious act crowns his career, and banishes all hesitation. Who, like WASHINGTON, after having emancipated a hemisphere, resigned its crown, and preferred the retirement of domestic life to the adoration of a land he might be almost said to have created!

How shall we rank thee upon glory's page,
Thou more than soldier, and just less than sage !
All thou hast been reflects less fame on thee,
Far less than all thou hast forborne to be.

Such, sir, is the testimony of one not to be accused of his partiality in his estimate of America. Happy, proud America ! The lightnings of heaven yielded to your philosophy ! The temptations of earth could not seduce your patriotism. I have the honor, sir, of proposing to you as a toast, the immortal memory of GEORGE WASHINGTON.

LORD CHATHAM ON AN ADDRESS TO THE KING.

LET us be cautious how we admit an idea, that our rights stand on a footing different from those of the people. Let us be cautious how we invade the liberties of our fellow-subjects, however mean, however remote ; for be assured, my lords, that in whatever part of the empire you suffer slavery to be established, whether it be in America or in Ireland, or here at home, you will find it a disease which spreads by contact, and soon reaches from the extremities to the heart. The man who has lost his own freedom, becomes from that moment an instrument in the hands of an ambitious prince, to destroy the freedom of others. These reflections, my lords, are but too applicable to our present situation. The liberty of the subject is invaded, not only in provinces, but here at home. The English people are loud in their complaints : they proclaim with one voice the injuries they have received : they demand redress, and depend upon it, my lords, that one way or other, they will have redress. They will never return to a state of tranquillity until they are redressed ; nor ought they ; for in my judgment, my lords, and I speak it boldly, it were better for them to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expense of a single iota of the constitution. Let me entreat your lordships, then, in the

name of all the duties you owe to your sovereign, to your country and to yourselves, to perform that office to which you are called by the constitution, by informing his majesty truly of the condition of his subjects, and of the real cause of their dissatisfaction.

PITT ON AN ADDRESS TO THE KING, JANUARY, 1766.

It is a long time, Mr. Speaker, since I have attended in parliament. When the resolution was taken in this house to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor, to have borne my testimony against it. It is my opinion that this kingdom has *no right* to lay a tax upon the colonies. At the same time, I assert the authority of this kingdom to be sovereign and supreme in every circumstance of government and legislation whatsoever. Taxation is no part of the governing or legislative power: the taxes are a voluntary gift and grant of the commons alone. The concurrence of the peers and of the crown is necessary only as a form of law. This house represents the commons of Great Britain. When in this house we give and grant; therefore we give and grant what is our own; but can we give and grant the property of the commons of America? It is an absurdity in terms. There is an idea in some, that the colonies are virtually represented in this house! I would fain know by whom? The idea of *virtual* representation is the most contemptible that ever entered into the head of man: it does not deserve a serious refutation. The commons in America, represented in their several assemblies, have invariably exercised this constitutional right of giving and granting their own money: they would have been slaves, if they had not enjoyed it. At the same time this kingdom has ever possessed the power of legislative and commercial control. The colonies acknowledge your authorities in all things, with the sole exception that you shall not take their

money out of their pockets without their consent. Here would I draw the line, *quam ultra citraque nequit consistere rectum*.

Sir, a charge is brought against gentlemen sitting in the house, for giving birth to sedition in America. The freedom with which they have spoken their sentiments against this unhappy act, is imputed to them as a crime; but the imputation shall not discourage me. It is a liberty which I hope no gentleman will be afraid to exercise: it is a liberty by which the gentleman who calumniates it might have profited. He ought to have desisted from his project. We are told America is obstinate—America is almost in open rebellion. Sir, I REJOICE that America has resisted—three millions of people so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of all the rest. I came not here armed at all points with law cases and acts of parliament; with the statute book doubled down in *dog's ears* to defend the cause of liberty; but for the defence of liberty upon a general constitutional principle; it is a ground on which I dare meet any man: I will not debate points of law; but what, after all, do the cases of Chester and Durham prove, but that, under the most arbitrary reigns, parliament were ashamed of taxing a people without their consent, and allowed them representatives? A higher and better example might have been taken from Wales; that principality was never taxed by parliament till it was incorporated with England. We are told of many classes of persons in this kingdom not represented in parliament; but are they not all virtually represented as Englishmen resident within the realm? Have they not the option, many of them at least, of becoming themselves electors? Every inhabitant of this kingdom is necessarily included in the general system of representation. It is a misfortune that more are not actually represented. The honorable gentleman boasts of his bounties to America. Are not these bounties intended finally for the benefit of this kingdom? If they are not, he has misapplied the national treasures. I am no courtier of America. I maintain that parliament has a right to bind, to restrain America. Our legislative power over the colonies is sovereign and supreme. The honorable gentleman tells us he under-

stands not the difference between internal and external taxation ; but surely there is a plain difference between taxes levied for the purpose of raising a revenue, and duties imposed for the regulation of commerce. When, said the honorable gentleman, were the colonies emancipated ? At what time, say I in answer, were they made slaves ? I speak from accurate knowledge, when I say, that the profits to *Great Britain* from the trade of the colonies, through all its branches, is two millions per annum. This is the fund which carried you triumphantly through the last war ; this is the price America pays you for her protection ; and shall a miserable financier come with a boast that he can fetch a pepper-corn into the exchequer, at the loss of millions to the nation ? I know the valor of your troops ; I know the skill of your officers ; I know the force of this country ; but in such a cause, your success would be hazardous. America, if she fell, would fall like the strong man ; she would embrace the pillars of the state, and pull down the constitution with her. Is this your boasted peace ? Not to sheathe the sword in the scabbard, but to sheathe it in the bowels of your countrymen ? The Americans have been wronged ; they have been driven to madness by injustice. Will you punish them for the madness you have occasioned ? No ; let this country be the first to resume its prudence and temper. I will pledge myself for the colonies, that, on their part, animosity and resentment will cease. Let affection be the only bond of coercion. The system of policy I would earnestly recommend Great Britain to adopt, in relation to America, is happily expressed in the words of a favorite poet :

Be to her faults a little blind,
Be to her virtues very kind ;
Let all her ways be unconfined ;
And clap your padlock on her mind.

Prior.

Upon the whole I beg leave to tell the house in a few words, what is really my opinion. It is that the stamp act be repealed
—ABSOLUTELY—TOTALLY and IMMEDIATELY.

COLONEL BARRE ON AMERICAN AFFAIRS.

I RISE with great unwillingness to oppose this measure in its very infancy, before its features are well formed, or to claim that attention which this house seems to bestow with so much reluctance on any arguments in behalf of America. But I must call you to witness, that I have been hitherto silent, or acquiescent, to an unexpected degree of moderation. While your proceedings, severe as they were, had the least color of foundation in justice, I desisted from opposing them; nay more—though your bill for stopping up the port of Boston contained in it many things most cruel, unwarrantable, and unjust, yet as they were couched under those general principles of justice, retribution for injury, and compensation for loss sustained, I not only desisted from opposing, but assented to its passing. The bill was a bad way of doing what was right; but still it was doing what was right. I would not, therefore, by opposing it, seem to countenance those violences which had been committed abroad; and of which no man disapproves more than I do.

Upon the present question I am totally unprepared. The motion itself bears no sort of resemblance to what was formerly announced. The noble lord and his friends have had every advantage of preparation. They have reconnoitred the field, and chosen their ground. To attack them in these circumstances may, perhaps, savor more of the gallantry of a soldier, than of the wisdom of a senator. But, sir, the proposition is so glaring; so unprecedented in any former proceedings of parliament; so unwarranted by any delay, denial, or preservation of justice in America; so big with misery and oppression to that country, and with danger to this—that the first blush of it is sufficient to alarm and rouse me to opposition.

It is proposed to stigmatize a whole people as persecutors of innocence, and men incapable of doing justice; yet you have not a single fact on which to ground that imputation. I expected the noble lord would have supported this motion by producing instances of the officers of government in America having been

prosecuted with unremitting vengeance, and brought to cruel and dishonorable deaths by the violence and injustice of American juries. But he has not produced one such instance; and I will tell you more, sir—he cannot produce one. The instances which have happened are directly in the teeth of his proposition. Colonel Preston, and the soldiers, who shed the blood of the people, were fairly tried, and fully acquitted. It was an American jury, a New England jury, a Boston jury, which tried and acquitted them. Colonel Preston has, under his hand, publicly declared, that the inhabitants of the very town in which their fellow-citizens had been sacrificed, were his advocates and defenders. Is this the return you make them? Is this the encouragement you give them to persevere in so laudable a spirit of justice and moderation? When a commissioner of the customs, aided by a number of ruffians, assaulted the celebrated Mr. Otis in the midst of the town of Boston, and with the most barbarous violence almost murdered him, did the mob, which is said to rule that town, take vengeance on the perpetrators of this inhuman outrage, against a person who is supposed to be their demagogue? No, sir, the law tried them: the law gave heavy damages against them; which the irreparably injured Mr. Otis most generously forgave, upon the acknowledgment of the offence. Can you expect any more such instances of magnanimity under the principle of the bill now proposed? But the noble lord says, “We must now show the Americans that we will no longer sit quiet under their insults.” Sir, I am sorry to say that this is declamation, unbecoming the character and place of him who utters it. In what moment have you been quiet? Has not your government for many years past been a series of irritating and offensive measures, without policy, principle, or moderation? Have not your troops and your ships made a vain and insulting parade in their streets and in their harbors? It has seemed to be your study to irritate and inflame them. You have stimulated discontent into disaffection, and you are now goading that disaffection into rebellion. Can you expect to be well informed when you listen only to partisans? Can you expect to do justice when you will not hear the accused?

Let us consider, sir, the precedents which are offered to warrant this proceeding—the suspension of the *habeas corpus* act in 1745—the making smugglers triable in Middlesex, and the Scotch rebels in England. Sir, the first was done upon the most pressing necessity, *flagrante bello*, with a dangerous rebellion in the very heart of the kingdom; the second, you well know, was warranted by the most evident facts; armed bodies of smugglers marched publicly, without presentment or molestation from the people of the county of Sussex, who, even to their magistrates, were notoriously connected with them. They murdered the officers of the revenue, engaged your troops, and openly violated the laws. Experience convinced you, that the juries of that, and of the counties similarly circumstanced, would never find such criminals guilty; and upon the conviction of this necessity you passed the act. The same necessity justified the trying Scotch rebels in England. Rebellion had raised its dangerous standard in Scotland, and the principles of it had so universally tainted that people, that it was manifestly in vain to expect justice from them against their countrymen. But in America, not a single act of rebellion has been committed. Let the crown law officers, who sit by the noble lord, declare, if they can, that there is upon your table a single evidence of treason or rebellion in America. They know, sir, there is not one, and yet are proceeding as if there were a thousand.

Having thus proved, sir, that the proposed bill is without precedent to support, and without facts to warrant it, let us now view the consequences it is likely to produce. A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to control the haughtiness of disposition which such superiority inspires. You know, sir, what constant care is taken in this country to remind the military that they are under the restraint of the civil power. In America their superiority is felt still greater. Remove the check of the law, as this bill intends, and what insolence, what outrage may you not expect? Every passion that is pernicious to society will be let loose upon a people unaccustomed to licentiousness and intemperance. On the one hand will be a people who have been long

complaining of oppression, and see in the soldiery those who are to enforce it upon them ; on the other, an army studiously pre-possessed with the idea of that people being rebellious, unawed by the apprehension of civil control, and actuated by that arbitrary spirit which prevails even amongst the best of troops.—In this situation the prudent officer will find it impossible to restrain his soldiers, or prevent that provocation which will rouse the tamed people to resistance. The inevitable consequence will be, that you will produce the rebellion you pretend to obviate.

I have been bred a soldier ; having served long.—I respect the profession, and live in the strictest habits of friendship with a great many officers ; but there is not a country gentleman of you all, who looks upon the army with a more jealous eye, or would more strenuously resist the setting them above the control of the civil power. No man is to be trusted in such a situation. It is not the fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious, wantonly violates the peace of society, and tramples upon the rights of human kind.

With respect to those gentlemen who are destined to this service, they are much to be pitied. It is a service, which an officer of feeling and of worth must enter upon with infinite reluctance. A service, in which his only merit must be, *to bear much, and do little*. With the melancholy prospect before him of commencing a civil war, and imbruing his hands in the blood of his fellow-subjects, his feelings, his life, his honor are hazarded, without a possibility of any equivalent or compensation. You may perhaps think a law, founded upon this motion, will be his protection. I am mistaken if it will. Who is to execute it ? He must be a bold man indeed who makes the attempt : if the people are so exasperated, that it is unsafe to bring the man who has injured them to trial, let the governor who withdraws him from justice look to himself. The people will not endure it : they would no longer deserve the reputation of being descended from the loins of Englishmen, if they did endure it.

When I stand up as an advocate for America, I feel myself the firmest friend of this country. We stand upon the commerce of America. Alienate your colonies, and you will subvert the found-

dation of your riches and your strength. Let the banners be once spread in America, and you are an undone people. You are urging this desperate, this destructive issue. You are urging it with such violence, and by measures tending so manifestly to that fatal point, that, but for that state of madness which only could inspire such an intention, it would appear to be your deliberate purpose. In assenting to your late bill I resisted the violence of America, at the hazard of my popularity there. I now resist your frenzy, at the same risk here. You have changed your ground. You are becoming the aggressors, and offering the last of human outrages to the people of America, by subjecting them, in effect, to military execution. I know the vast superiority of your disciplined troops over the Provincials ; but beware how you supply the want of discipline by desperation. Instead of sending them the olive-branch, you have sent the naked sword. By the olive-branch I mean a repeal of all the late laws, fruitless to you and oppressive to them.

Ask their aid in a constitutional manner, and they will give it to the utmost of their ability. They never yet refused it when properly required. Your journals bear the recorded acknowledgments of the zeal with which they have contributed to the general necessities of the state. What madness is it that prompts you to attempt obtaining that by force which you may more certainly procure by requisition ? They may be flattered into anything ; but they are too much like yourselves to be driven. Have some indulgence for your own likeness ; respect their sturdy English virtue ; retract your odious exertions of authority, and remember, that the first step towards making them contribute to your wants, is to reconcile them to your government.

COLONEL BARRE IN REPLY TO ONE OF THE MINISTRY.

THEY planted by your care ! No, your oppressions planted them in America. They fled from your tyranny, to a then uncultivated and inhospitable country, where they exposed themselves to almost all the hardships to which human nature is liable ; and, among others, to the cruelties of a savage foe, the most subtle, and I will take upon me to say, the most formidable of any people upon the face of God's earth ; and yet, actuated by principles of true English liberty, they met all hardships with pleasure, compared with those they suffered in their own country, from the hands of those that should have been their friends. They nourished by your indulgence ! They grew by your neglect of them. As soon as you began to care about them, that care was exercised in sending persons to rule them, in one department and another, who were, perhaps, the deputies of deputies to some members of this house, sent to spy out their liberties, to misrepresent their actions ; and to pry upon them—men, whose behavior on many occasions, has caused the blood of those sons of liberty to recoil within them—men promoted to the highest seats of justice ; some who to my knowledge were glad, by going to a foreign country, to escape being brought to the bar of a court of justice in their own. They protected by your arms ! They have nobly taken up arms in your defence ; have exerted a valor, amidst their constant and laborious industry, for the defence of a country, whose frontier was drenched in blood, while its interior parts yielded all its little savings to your emolument. And believe me, remember I this day told you so, that same spirit of freedom, which actuated that people at first, will accompany them still—but prudence forbids me to explain myself further. God knows I do not at this time speak from motives of party heat ; what I deliver are the genuine sentiments of my heart. However superior to me in general knowledge and experience the respectable body of this house may be, yet I claim to know more of America than most of you, having seen and been conversant in that country. The people, I believe, are as truly loyal as any

subjects the king has ; but a people jealous of their liberties, and who will vindicate them if ever they should be violated—but the subject is too delicate—I will say no more.

LORD CHATHAM ON THE BILL FOR QUARTERING SOLDIERS
IN BOSTON—1774.

IF, my lords, we take a transient view of the motives which induced the ancestors of our fellow-subjects in America to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the globe to which they would not have fled, rather than submit to the slavish and tyrannical spirit which prevailed at that period in their native country ; and viewing them in their originally forlorn and now flourishing state, they may be cited as illustrious instances to instruct the world, what great exertions mankind will naturally make, when left to the free exercise of their own powers. Notwithstanding my intention to give my hearty negative to the question now before you, I condemn, my lords, in the severest manner, the turbulent and unwarrantable conduct of the Americans in some instances, particularly in the late riots at Boston ; but, my lords, the mode which has been pursued to bring them back to a sense of their duty, is so diametrically opposite to every principle of sound policy, as to excite my utmost astonishment. You have involved the guilty and the innocent in one common punishment, and avenge the crimes of a few lawless depredators upon the whole body of the inhabitants. My lords, the different provinces of America, in the excess of their gratitude for the repeal of the Stamp Act, seemed to vie with each other in expressions of loyalty and duty ; but the moment they perceived your intention to tax them was renewed under a pretence of serving the East India Company, their resentment got the ascendant of their moderation, and hurried them into actions which their cooler reason would abhor. But,

my lords, from the whole complexion of the late proceedings, I cannot but incline to think that administration has purposely irritated them into these violent acts, in order to gratify their own malice and revenge. What else could induce them to dress taxation, the father of American sedition, in the robes of an East India director, but to break in upon that mutual peace and harmony, which then so happily subsisted between the colonies and the mother country? My lords, it has always been my fixed and unalterable opinion, and I will carry it with me to the grave, that this country had no right under heaven to tax America. It is contrary to all the principles of justice and civil policy: it is contrary to that essential, that unalterable *right in nature*, ingrafted into the British constitution as a fundamental law, that what a man has honestly acquired is absolutely his own, which he may freely give, but which cannot be taken from him without his consent. Pass then, my lords, instead of these harsh and severe edicts, an amnesty over their errors: by measures of lenity and affection allure them to their duty: act the part of a generous and forgiving parent. A period may arrive when this parent may stand in need of every assistance she can receive from a grateful and affectionate offspring. The welfare of this country, my lords, has ever been my greatest joy, and under all the vicissitudes of my life has afforded me the most pleasing consolation. Should the all-disposing hand of Providence prevent me from contributing my poor and feeble aid in the day of her distress, my prayers shall be ever for her prosperity. "Length of days be in her right hand, and in her left hand riches and honor. May her ways be the ways of pleasantness; and all her paths be peace!"

BURKE ON AMERICAN TAXATION—1774.

SIR,—I agree with the honorable gentleman who spoke last, that this subject is not new in this house. Very disagreeably to this house, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more fa-

miliar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

But I hear it rung continually in my ears, now and formerly,—"The preamble! what will become of the preamble, if you repeal this tax?"—I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the act; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the house, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness; but plain truth and clear evidence can be beat down by no ability. The clerk will be so good as to turn to the act, and to read this favorite preamble:

Whereas it is expedient that a revenue should be raised in your majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions.

You have heard this pompous performance. Now where is the revenue which is to do all these mighty things? Five sixths repealed—abandoned—sunk—gone—lost forever.—Does the poor solitary tea duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in com-

pliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already ; and all you suffer is, the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

Sir, it is not a pleasant consideration ; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things, by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong ; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an act, which they had not the generous courage, when they found and felt their error, honorably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Could anything be a subject of more just alarm to America, than to see you go out of the plain high-road of finance, and give up your most certain revenues and your clearest interest, merely for the sake of insulting your colonies ? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune ? No ! but the payment of half twenty shillings, on the principle it was demanded, would

have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

They tell you, sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you ; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Show the thing you contend for to be reason ; show it to be common sense ; show it to be the means of attaining some useful end ; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity is more than I ever could discern.

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If, in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes ; then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence ; and before terrors could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans which they had refused in an easy, good-natured, complying British parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial directors blustered like tragic tyrants here ; and then went mumping with a sore leg in America, canting and whining, and complaining of faction, which represented them as friends to a revenue from the colonies.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of navigation until 1764. Why ? because men do bear the inevitable constitution of their original nature with all its infirmities. The act of navi-

gation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their fisheries, their agriculture, their ship-building (and their trade too within the limits), in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies of yesterday; than a set of miserable outcasts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness three thousand miles from all civilized intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in America; and by that creation you raised the trade of this kingdom at least fourfold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty taken together, is certainly not perfect freedom; but comparing it with the ordinary circumstances of human nature, it was a happy and a liberal condition.

Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of a universal internal and external monopoly with a universal internal and external taxation, is an unnatural union; perfect uncompensated slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

This nation, sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of government new in many things seemed to have been adopted. I saw, or thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honor of a seat in this house. At that period the necessity was established of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this house. This scheme was adopted with very general applause on both sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burthen. Country gentlemen, the great patrons of economy, and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, dazzled them, by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried

to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether ; whether it was entirely the result of his own speculation ; or, what is more probable, that his own ideas rather coincided with the instructions he had received ; certain it is that, with the best intentions in the world, he first brought this fatal scheme into form, and established it by act of parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party-differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this house, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low pimping politics of a court, but to win his way to power, through the laborious gradations of public service ; and to secure himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsic ; they must be rather sought in the particular habits of his life ; which, though they do not alter the ground-work of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences ; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together ; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world ; but plunged into business ;

mean into the business of office; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office, are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions; and therefore persons who are nurtured in office, do admirably well, as long as things go on in their common order; but when the high-roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind, and a far more extensive comprehension of things is requisite than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol. I mean the act of navigation. He has often professed it to be so. The policy of that act is, I readily admit, in many respects well understood. But I do say, that if the act be suffered to run the full length of its principle, and is not changed and modified according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundancy, and breaking its banks on the right and on the left, it spread out upon some places, where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness not to be exact; and great trade will always be attended with considerable abuses. The contraband will always keep pace

in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just, towards the incredible increase of the fair trade; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury (my Lord Bute was then at the head of the board), heavily complaining of the growth of the illicit commerce in America. Some mischief happened even at that time from this over-earnest zeal. Much greater happened afterwards when it operated with greater power in the highest department of the finances. The bonds of the act of navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies; with the appointment of courts of admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as delinquents, or at best as people under suspicion of delinquency; and in such a manner, as they imagined their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror:

BURKE'S VIEW OF CHATHAM'S ADMINISTRATION.

TRANQUILLITY and concord were restored by the repeal of the stamp act: but did not continue long. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hand of Lord Chatham—a great and celebrated name—a name that keeps the name of this country respectable in every other country on the globe—It may be truly called

Clarum et venerabile nomen
Gentibus, et multum nostræ quod proderat urbi.

The venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind, and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence—one or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures which were greatly mischievous to himself, and for that reason, among others perhaps, fatal to his country—measures, the effects of which, I am afraid, are forever incurable.

He made an administration so chequered and speckled; he put together a piece of joinery so crossly indented, and whimsically dovetailed; a cabinet so variously inlaid, such a piece of diversified mosaic, such a tessellated pavement without cement, here a bit of black stone and there a bit of white; patriots and courtiers, king's friends and republicans, whigs and tories, treacherous

friends and open enemies; that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on.

In consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate.—When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of administration, he was no longer a minister. When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his political friends, who with the names of various departments of ministry, were admitted, to seem, as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him which was justified even in its extravagance by his superior abilities, had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an act declaring it highly just and expedient to raise a revenue in America.

At the period of the Earl of Chatham's evening declination, I discover another luminary, rising in the opposite quarter of the heavens, and becoming for his hour, lord of the ascendant. This light too, is passed and set forever. You understand, to be sure, that I speak of Charles Townshend, officially the reproducer of this fatal scheme, whom I cannot even now remember without some degree of sensibility. In truth he was the delight and orna-

ment of this house, and the charm of every private society which he honored with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far than any man I ever was acquainted with, how to bring together in a short time all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite nor vulgar, nor subtle, and abstruse. He hit the house just between wind and water—And not being troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions, and present temper of his hearers required; to whom he was always in perfect unison. He conformed exactly to the temper of the house, and he seemed to guide, because he was always sure to follow it.

I beg pardon, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and landmarks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign I trust to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities, whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the house (such of late has been the rapid succession of public men) who never saw that prodigy Charles Townshend, nor of course know what a ferment he was able to excite in everything by the violent ebullition of his mixed virtues and failings; for failings he had undoubtedly. Many of us re-

member them—We are this day considering the effect of them. But he had no failings which were not owing to a noble cause ; to an ardent, generous, perhaps an immoderate passion for fame—a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared ; but he paid his particular devotions to her in her favorite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible not to observe, that this house has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But, among vices, there is none which the house abhors in the same degree with *obstinacy*. Obstinacy, sir, is certainly a great vice ; and, in the changeful state of political affairs, it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality of which you have so just an abhorrence ; and in their excess all these virtues very easily fall into it. He who paid such a punctilious attention to all your feelings certainly took care not to shock them by that vice which is the most disgusting to you. That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and in the year 1765 had been an advocate for the stamp act. Things and the disposition of men's minds were changed. In short, the stamp act began to be no favorite in this house. He therefore attended at the private meeting, in which the resolutions moved by a right honorable gentleman (General Conway), were settled—resolutions leading to the repeal. The next day he voted for that repeal ; and he would have spoken for it too, if an illness, not as was then given out, a political, but to my knowledge, a very real illness, had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odor in this house as the stamp act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly amongst

those most in power, he declared very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the king stood in a humiliated state, until something of the kind should be done. Here this extraordinary man, then chancellor of the Exchequer, found himself in great straits. To please universally was the object of his life; but to tax and to please, no more than to love and to be wise, is not given to men. However, he attempted it. To render the tax palatable to the partisans of American revenues, he made a preamble stating the necessity of such revenue. To close with the American distinction, this revenue was *external*, or port duty, but again to soften it to the other party, it was a duty of *supply*. To gratify the *colonists*, it was laid on British manufactures; to satisfy the *merchants of Britain*, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favor of those who would tax America, the scene of collection was changed, and with the rest, it was levied in the colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the house. He never thought, did, or said anything, but with a view to you. He every day adapted himself to your disposition; and adjusted himself before it as at a looking-glass. He had observed (indeed it could not escape him) that several persons infinitely his inferiors in all respects had formerly rendered themselves considerable in this house by one method alone. They were a race of men (I hope in God the species is extinct) who when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connection in their ideas, what

part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them; all ears open to hear them; each party gaped and looked alternately for their vote almost to the end of their speeches. While the house hung in this uncertainty, now the *hear-hims* rose from this side—now they re-bellowed from the other; and that party, to whom at length they fell from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense, withheld, gave much greater pain, than he received delight in the clouds of it, which daily rose about him from the prodigal superstition of his innumerable admirers. He was a candidate for contradictory honors; and his great aim to make those agree in admiration of him, who never agreed in anything else. Hence arose this unfortunate act, the subject of this day's debate, from a disposition, which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

Let us, sir, embrace some system or other before we end this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out: name, fix, ascertain this revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob; if you kill, take possession: and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

Again, and again, revert to your old principles—seek peace and ensure it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that sys-

tem. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished forever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation, either to his feelings or his understanding.

On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat in parliament. The noble lord (Lord North) will, as usual, probably, attribute the part taken by me and my friends in this business, to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit, and all his argument. But I had rather bear the brunt of all his wit; and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest

of his works. But I know the map of England, as well as the noble lord or as any other person; and I know that the way I take is not the road to preferment. My excellent and honorable friend under me on the floor (Mr. Dowdeswell), has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honor. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes on the firmest foundations, a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

LORD CHATHAM ON HIS MOTION TO REMOVE THE TROOPS
FROM BOSTON.

Too well apprised of the contents of the papers, now at last laid before the house, I shall not take up their lordships' time in tedious and fruitless investigations, but shall seize the first moment to open the door of reconciliation; for every moment of delay is a moment of danger. As I have not the honor of access to his Majesty, I will endeavor to transmit to him, through the constitutional channel of this house, my ideas of America, to rescue him from the mis-advice of his present ministers. America, my lords, cannot be reconciled, she ought not to be reconciled to this country, till the troops of Britain are withdrawn from the continent; they are a bar to all confidence; they are a source of perpetual irritation; they threaten a fatal catastrophe. How can America trust you with the bayonet at her breast? How can she suppose that you mean less than bondage or death? I therefore, my lords, move, that an humble address be presented to his Majesty, most humbly to advise and beseech his Majesty, "that, in order to open

the way towards a happy settlement of the dangerous troubles in America, it may graciously please his Majesty to transmit orders to General Gage for removing his Majesty's forces from the town of Boston." I know not, my lords, who advised the present measures : I know not who advises to a perseverance and enforcement of them ; but this I will say, that the authors of such advice ought to answer it at their utmost peril. I wish, my lords, not to lose a day in this urgent, pressing crisis : an hour now lost in allaying ferments in America, may produce years of calamity. Never will I desert, in any stage of its progress, the conduct of this momentous business. Unless fettered to my bed by the extremity of sickness, I will give it unremitting attention. I will knock at the gates of this sleeping and confounded ministry, and will, if it be possible, rouse them to a sense of their danger. The recall of your army I urge as necessarily preparatory to the restoration of your peace. By this it will appear that you are disposed to treat amicably and equitably, and, to consider, revise, and repeal, if it should be found necessary, as I affirm it will, those violent acts and declarations which have disseminated confusion throughout the empire. Resistance to these acts was necessary, and therefore just : and your vain declarations of the omnipotence of parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or enslave America, who feels that tyranny is equally intolerable, whether it be exercised by an individual part of the Legislature, or by the collective bodies which compose it. The means of enforcing this thralldom are found to be as ridiculous and weak in practice as they are unjust in principle. Conceiving of General Gage as a man of humanity and understanding ; entertaining, as I ever must, the highest respect and affection for the British troops, I feel the most anxious sensibility for their situation, pining in inglorious inactivity. You may call them an army of safety and defence, but they are in truth an army of impotence and contempt, and to make the folly equal to the disgrace, they are an army of irritation and vexation. Allay then the ferment prevailing in America, by removing the obnoxious hostile cause. If you delay concession till your vain hope shall be accomplished of triumphantly dictating

reconciliation, you delay forever : the force of this country would be disproportionably exerted against a brave, generous, and united people, with arms in their hands, and courage in their hearts—three millions of people, the genuine descendants of a valiant and pious ancestry, driven to those deserts by the narrow maxims of a superstitious tyranny. But is the spirit of persecution never to be appeased ? Are the brave sons of those brave forefathers to inherit their sufferings, as they have inherited their virtues ? Are they to sustain the infliction of the most oppressive and unexampled severity, beyond what history has related, or poetry has feigned ?

Rhadamanthus habet durissima regna,
Castigatque, *auditque* dolos.

But the Americans must not be heard ; they have been condemned unheard. The indiscriminate hand of vengeance has devoted thirty thousand British subjects of all ranks, ages, and descriptions to one common ruin. You may, no doubt, destroy their cities ; you may cut them off from the superfluities, perhaps the conveniences of life ; but, my lords, they will despise your power, for they have yet remaining their woods and their liberty. What, though you march from town to town, from province to province ; though you should be enabled to enforce a temporary and local submission, how shall you be able to secure the obedience of the country you leave behind you, in your progress of eighteen hundred miles of continent, animated with the same spirit of liberty and of resistance ? This universal opposition to your arbitrary system of taxation might have been foreseen ; it was obvious from the nature of things, and from the nature of man, and, above all, from the confirmed habits of thinking, from the spirit of whiggism, flourishing in America. The spirit which now pervades America, is the same which formerly opposed loans, benevolences, and ship-money in this country—the same spirit which roused all England to action at the revolution, and which established at a remote era your liberties on the basis of that great fundamental maxim of the constitution, that no subject of England shall be taxed but by his own consent. What shall oppose this spirit, aided by the congenial flame glowing in the

breast of every generous Britain ? To maintain this principle is the common cause of the whigs on the other side of the Atlantic and on this ; it is liberty to liberty engaged. In this great cause they are immovably allied : it is the alliance of God and nature, immutable, eternal, fixed as the firmament of heaven. As an Englishman, I recognize to the Americans their supreme, unalterable right of property. As an American, I would equally recognize to England her supreme right of regulating commerce and navigation. This distinction is involved in the abstract nature of things : property is private, individual, absolute : the touch of another annihilates it. Trade is an extended and complicated consideration : it reaches as far as ships can sail, or winds can blow : it is a vast and various machine. To regulate the numberless movements of its several parts, and to combine them in one harmonious effect, for the good of the whole, requires the superintending wisdom and energy of the supreme power of the empire. On this grand practical distinction, then, let us rest : taxation is theirs : commercial regulation is ours. As to the metaphysical refinements, attempting to show that the Americans are equally free from legislative control and commercial restraint, as from taxation for the purpose of revenue, I pronounce them futile, frivolous, groundless. When your lordships have perused the papers transmitted us from America, when you consider the dignity, the firmness, and the wisdom with which the Americans have acted, you cannot but respect their cause. History, my lords, has been my favorite study ; and in the celebrated writings of antiquity have I often admired the patriotism of Greece and Rome ; but, my lords, I must declare and avow, that in the master-states of the world, I know not the people, nor the senate, who in such a complication of difficult circumstances, can stand in preference to the Delegates of America, assembled in General Congress at Philadelphia. I trust it is obvious to your lordships that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be futile. Can such a national principled union be resisted by the tricks of office or ministerial manœuvres ? Heaping papers on your table, or counting your majorities on a division, will not

avert or postpone the hour of danger. It must arrive, my lords, unless these fatal acts are done away : it must arrive, in all its horrors ; and then these boastful ministers, in spite of all their confidence and all their manœuvres, shall be compelled to hide their heads. But it is not repealing this or that act of parliament ; it is not repealing a piece of parchment, that can restore America to your bosom : you must repeal her fears and resentments, and then you may hope for her love and gratitude. But now, insulted with an armed force, irritated with a hostile array before her eyes, her concessions, if you *could* force them, would be suspicious, and insecure. But it is more than evident that you *cannot* force them to your unworthy terms of submission : it is impossible : we ourselves shall be forced ultimately to retract : let us retract while we can, not when we must. I repeat it, my lords, we shall one day be *forced* to undo these violent acts of oppression : they must be repealed ; you will repeal them. I pledge myself for it, that you will in the end repeal them : I stake my reputation on it : I will consent to be taken for an idiot if they are not repealed. Avoid then this humiliating, disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace, and to happiness. Concession comes with better grace and more salutary effect from superior power : it reconciles superiority of power with the feelings of man, and establishes solid confidence on the foundations of affection and gratitude. On the other hand, every danger and every hazard impend to deter you from perseverance in the present ruinous measures : foreign war hanging over your heads by a slight and brittle thread—France and Spain watching your conduct, and waiting for the maturity of your errors, with a vigilant eye to America and the temper of your colonies more than to their own concerns, be they what they may. To conclude, my lords, if the ministers thus persevere in misadvising and misleading the king, I will not say, that they *can* alienate the affections of his subjects from the crown ; but I affirm, they will make the crown not worth his wearing. I will not say that the king is betrayed, but I will pronounce, that the kingdom is undone.

LORD CAMDEN ON SECONDING THE SAME.

King, Lords, and Commons, are grand and sounding names, but, King, Lords, and Commons may become tyrants as well as others. Tyranny in one or more is the same : it is as lawful to resist the tyranny of many, as of one : this has been a doctrine known and acted upon in this country for ages. When the famous Selden was asked, by what statute resistance to tyranny could be justified ? his reply was : *It is to be justified by the custom of England, which is a part of the law of the land.* I will affirm, my lords, not only as a statesman, politician, and philosopher, but as a common lawyer, that you have no right to tax America. No man, agreeably to the principles of natural or civil liberty, can be divested of any part of his property without his consent : and whenever oppression begins, resistance becomes lawful and right.

BURKE ON AMERICAN AFFAIRS—MARCH, 1775.

As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy ; and yet the spirit, by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, sir, what in the world is equal to it ? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale-fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay, and Davis's Straits ; whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an-object for the grasp of national ambition, is but a

stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries: no climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt, and die away within me. My rigor relents. I pardon something to the spirit of liberty.

BURKE ON CONCILIATION WITH AMERICA.

A REVENUE from America transmitted hither—do not delude yourselves—you can never receive it—No, not a shilling. We have experience that from remote countries, it is not to be expected. If when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition; what can you expect from North America? for certainly, if ever there was a country qualified to produce wealth, it is India, or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives

you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government—they will cling and grapple to you; and no force under heaven will have power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another; that these two things may exist without any mutual relation—the cement is gone; the cohesion is loosened; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still pre-

serve, the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion, that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the land tax act which raises your revenue? that it is the annual vote in the committee of supply, which gives you your army? or that it is the mutiny bill which inspires it with bravery and discipline? No! Surely no! It is the love of the people; it is their attachment to their government from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who, therefore, far from being qualified to be the directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our public proceedings on America, with the old warning of the church,

Sursum corda! We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive, and the only honorable conquests; not by destroying, but by promoting, the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*), lay the first stone of the temple of peace; and I move you,

“That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”

MARQUIS OF GRANBY ON AMERICAN AFFAIRS.

I RISE, to trouble the house with a few words on the bill now before it. I have sat, sir, during the course of two divisions, without taking any part, even so much as giving a silent vote on any American question; because, sir, as I will fairly confess to you, I entered with prejudices against the system administration was pursuing: I thought it was but justice to hear the arguments that might be urged on both sides, to compare those arguments, and draw my opinion from that comparison. As to the bill immediately the object of our consideration, I think it in every respect so arbitrary, so oppressive, and so totally founded on principles of resentment, that I am exceedingly happy at having this public opportunity of bearing my testimony against it, in the strongest manner I am able. In God's name, what language are you now holding out to America? Resign your property, divest yourselves of your privileges and freedom, renounce everything that can

make life comfortable, or we will destroy your commerce, we will involve your country in all the miseries of famine; and if you express the sensations of men at such harsh treatment, we will then declare you in a state of rebellion, and put yourselves and your families to fire and sword. And yet, sir, the noble lord on the floor (Lord North) has told this house that a reconciliation is the sole object of his wishes. I hope the noble lord will pardon me, if I doubt the perfect sincerity of those wishes; at least, sir, his actions justify my doubt; for every circumstance in his whole conduct, with regard to America, has directly militated against his present professions; and what, sir, must the Americans conclude? Whilst you are ravaging their coasts and extirpating their commerce, and are withheld only by your impotence from spreading fresh ruin, by the sword, can they, sir, suppose such chastisement is intended to promote a reconciliation, and that you mean to restore to their forlorn country those liberties you deny to their present possession, and in the insolence of persecution, are compassing earth and seas to destroy? You can with no more justice compel the Americans to your obedience, by the operation of the present measures, by making use of their necessities, and withholding from them that commerce on which their existence depends, than a ruffian can found an equitable claim to my possessions, when he forcibly enters my house, and with a dagger at my throat, or a pistol at my breast, makes me seal deeds, which will convey to him my estate and property.

I have a very clear, a very adequate idea of rebellion, at least according to my own principles; and those are the principles on which the revolution was founded. It is not against whom a war is directed, but it is the justice of that war that does, or does not, constitute rebellion. If the innocent part of mankind must tamely relinquish their freedom, their property, and everything they hold dear, merely to avoid the imputation of rebellion, I beg, sir, it may be considered what kind of peace and loyalty there will then exist in the world, which consists only in violence and rapine, and is merely to be maintained for the benefit of robbers and oppressors. I hope, sir, I shall be believed when I assure you that I am as warm a friend to the interests of my country as any man in this

house; but then it must be understood, when those interests are founded in justice. I am not attached to any particular acre of land. The farmer in Cumberland or Durham is as little connected with me as the peasant in America. It is not the ground a man stands on that attaches me to him; it is not the air he breathes that connects me with him; but it is the principles of that man, those independent, those generous principles of liberty which he professes, co-operating with my own, which call me forth as his advocate, and make me glory in being considered his friend. As for myself, sir, I am not in the least ashamed to avow that this is the source of my attachment to a noble lord, who has been, in my opinion, very unjustly reflected on in the course of this debate (I mean Lord Chatham). I am not even personally acquainted with the noble lord; I do not know the inconsistencies of which he stands accused: but this, sir, I know, I shall not support his inconsistencies; I shall only support him in those principles which have raised his name to the elevation on which it is now placed in this country, and have so deservedly procured him the love and admiration of his fellow-citizens.

From the fullest conviction of my soul, I disclaim every idea both of policy and right, internally to tax America. I disavow the whole system; it is commenced in iniquity; it is pursued with resentment; and it can terminate in nothing but blood. Under whatever shape in futurity it may be revived, by whomsoever produced and supported, it shall, from me, meet the most constant, determined, and invariable opposition.

LORD EFFINGHAM ON RESIGNING HIS COMMISSION
RATHER THAN BEAR ARMS AGAINST AMERICA.

I CONFESS, I wish to avoid the discussion of our right to such a power as we are contending for, that is to say, a power of taxing a set of subjects who are not represented amongst us, and who have full power to tax themselves in the ordinary and constitutional manner. Were any particular province among the

Americans to refuse grants of money in proportion to others, or to commit any act in abuse of their charters, I think that supreme controlling power, which the province in question allows in its full extent, would give us the charge, *Ne quid detrimenti respublica capiat*: And in that case, my lords, almost the whole empire would be united against the wrong-headed few, who would soon be brought to reason. But I am satisfied, that without such necessity, we have no more power of taxation in that country, than a Roman dictator had to begin his office with a declaration, that his power should be perpetual, and was necessary in the ordinary business of government. Therefore, my lords, whatever has been done by the Americans, I must deem it the mere consequence of our unjust demands. They have come to you with fair arguments; you have refused to hear them: they have made the most respectful remonstrances; you answer them with bills of pains and penalties. They know they ought to be free; you tell them they shall be slaves. Is it then a wonder, if they say in despair, "For the short remainder of our lives we will be free!" Is there one among your lordships, who, in a situation similar to that which I have described, would not resolve the same? If there could be such an one, I am sure he ought not to be here.

To bring the history down to the present scene—here are two armies in presence of each other; armies of brothers and countrymen; each dreading the event, yet each feeling that it is in the power of the most trifling accident, a private dispute, a drunken fray in any public house in Boston, in short, a nothing, to cause the sword to be drawn, and to plunge the whole country into all the horrors of blood, flames, and parricide! In this dreadful moment, a set of men more wise and moderate than the rest, exert themselves to bring us all to reason. They state their claims and their grievances; nay, if anything can be proved by law and history, they *prove* them. They propose oblivion; they make the first concession. We treat them with contempt; we prefer poverty, blood, and servitude, to wealth, happiness and liberty.

What weight these few observations may have. I do not know;

but the candor your lordships have indulged me with, requires a confession on my part which may still lessen that weight: I must own, I am not personally disinterested. Ever since I was of an age to have any ambition at all, my highest has been to serve my country in a military capacity. If there was on earth an event I dreaded, it was to see this country so situated, as to make that profession incompatible with my duty as a citizen. That period is, in my opinion, arrived; and I have thought myself bound to relinquish the hopes I had formed, by a resignation, which appeared to me the only method of avoiding the guilt of enslaving my country, and imbruing my hands in the blood of her sons.

When the duties of a soldier and citizen become inconsistent, I shall always think myself obliged to sink the character of the soldier in that of the citizen, till such time as those duties shall, by the malice of our real enemies, become again united. It is no small sacrifice which a man makes who gives up his profession; but it is a much greater, when a predilection, strengthened by habit, has given him so strong an attachment to his profession as I feel. I have, however, this consolation, that by making that sacrifice, I at least give to my country an unequivocal proof of the sincerity of my principles.

LORD CHATHAM ON AN ADDRESS TO THE KING.

My lords, I most cheerfully agree with the first paragraph of the address moved by the noble lord. I would even go and prostrate myself at the foot of the throne, were it necessary, to testify my joy at any event which may promise to add to the domestic felicity of my sovereign; at anything which may seem to give a further security to the permanent enjoyment of the religious and civil rights of my fellow-subjects; but while I do this, I must at the same time express my strongest disapprobation of the address, and the fatal measures which it approves. My lords.

it was customary for the king, on similar occasions, not to lead parliament, but to be guided by it. It was usual, I say, my lords, to ask the advice of this house, the hereditary great council of the nation, not to dictate to it. My lords, what does this speech say? It tells you of measures already agreed upon, and very cavalierly desires your concurrence. It, indeed, talks of wisdom and support; it counts on the certainty of events yet in the womb of time; but in point of plan and design, it is peremptory and dictatorial. Is this a proper language, fit to be endured? Is this high pretension to overrule the dispositions of Providence itself, and the will and judgment of parliament, justified by any former conduct or precedent? No, my lords, it is the language of an ill-founded confidence: a confidence, my lords, I will be bold to say, supported hitherto only by a succession of disappointments, disgraces, and defeats. I am astonished how any minister dare advise his majesty to hold such a language to your lordships: I would be glad to see the minister that dare avow it in his place. What is the import of this extraordinary application? What, but an unlimited confidence in those who have hitherto misguided, deceived, and misled you? It is, I maintain, unlimited: it desires you to grant not what you may be satisfied is necessary, but what his majesty's ministers may chosse to think so; troops, fleets, treaties, and subsidies, not yet revealed. Should your lordships agree to the present address, you will stand pledged to all this; you cannot retreat; it binds you to the consequences, be they what they may. My lords, whoever gave this pernicious counsel to the king ought to be made answerable to this house, and to the nation at large, for the consequences: the precedent is dangerous and unconstitutional. Who, I say, has had the temerity to tell the king that his affairs are in a prosperous condition? and who, of course, is the author of those assurances which are this day given you, in order to mislead you? My lords, what is the present state of this nation? It is big with difficulty and danger; it is full of the most destructive circumstances: I say, my lords, it is truly perilous. What are these little islands, Great Britain and Ireland? What is your defence? Nothing. What is the condition of your formidable and inveterate

enemies, the two leading branches of the house of Bourbon! They have a formidable navy: I say, my lords, their intentions are hostile: I know it: their coasts are lined with troops, from the furthestmost part of the coast of Spain up to Dunkirk. What have you to oppose them? Not five thousand men in this island; nor more in Ireland; nor above twenty ships of the line manned and fit for service. My lords, without peace, without an immediate restoration of tranquillity, this nation is ruined. What has been the conduct of your ministers? How have they endeavored to conciliate the affection and obedience of their American brethren? They have gone to Germany; they have sought the alliance and assistance of every pitiful, beggarly, insignificant, paltry German prince, to cut the throats of their loyal, brave, and injured brethren in America; they have entered into mercenary treaties with those human butchers, for the purchase and sale of human blood. But, my lords, this is not all; they have entered into other treaties; they have let the savages of America loose upon their innocent, unoffending brethren,—loose upon the weak, the aged, and defenceless; on old men, women, and children; upon the very babes upon the breast, to be cut, mangled, sacrificed, broiled, roasted, nay, to be literally eat alive. These, my lords, are the allies Great Britain now has: carnage, desolation, and destruction, wherever her arms are carried, is her newly adopted mode of making war.* Our ministers have made alliances at the German shambles, and with the barbarians of America; with the merciless torturers of their species: where they will next apply, I cannot tell: having already scoured all Germany and America, to seek the assistance of cannibals and butchers. The arms of this country are disgraced, even in victory as well as defeat. Is this consistent, my lords, with any part of our former conduct? Was it by means like these we arrived at that pinnacle of fame and grandeur, which, while it established our reputation in every quarter of the globe, gave the fullest testimony of our justice, mercy, and national integrity? Was it by the

“—— and at his heels,

Leash'd in like hounds, should Famine, Sword, and Fire,
Crouch for employment.”—HENRY V.

tomahawk and scalping-knife that British valor and humanity became in a manner proverbial, and the triumphs of war and the *éclat* of conquest became but matters of secondary praise, when compared to those of national humanity, and national honor? Was it by setting loose the savages of America, to imbrue their hands in the blood of our enemies, that the duties of the soldier, the citizen, and the man, came to be united? Is this honorable warfare, my lords? Does it correspond with the language of the poet?—

“The pride, pomp, and circumstance of glorious war,
That makes ambition virtue.”

LORD CHATHAM ON AN ADDRESS TO THE KING—1777.

THE present motion will open the way for treaty. It will be the harbinger of peace, and will convince the Americans, that parliament is sincerely disposed to reconciliation. We have tried for unconditional submission—let us now try what can be gained by unconditional redress. The door of mercy has been hitherto shut against them: you have ransacked every corner of Germany for boors and ruffians to invade and ravage their country; for to conquer it, my lords, is impossible—you CANNOT do it. I may as well pretend to drive them before me with this CRUTCH. I am experienced in spring hopes and vernal promises, but at last will come your equinoctial disappointment. But were it practicable by a long-continued course of success to conquer America, the holding it in subjection afterwards will be utterly impossible. No benefit can be derived from that country to this, but by the goodwill and pure affection of the inhabitants: this is not to be gained by force of arms; their affection is only to be recovered by reconciliation and justice. If ministers are founded in saying, that no engagements are entered into by America with France, there is yet a moment left; the point of honor is still safe; a few weeks may decide our fate as a nation. Were America suffered to form a treaty with France, we should not only lose the immense ad-

vantages resulting from the vast and increasing commerce of our colonies, but those advantages would be thrown into the hands of our hereditary enemy. America, my lords, is now contending with Great Britain under a masked battery of France, which will open as she perceives this country to be sufficiently weakened by the contest. France will not lose so fair an opportunity of separating forever America from this kingdom. This is the critical moment—for such a treaty must and will take place, should pacification be delayed; and war between England and France is not the less probable because professions of amity continue to be made. It would be folly in France to declare it now, while America gives full employment to our arms, and is pouring into her lap her wealth and produce. While the trade of Great Britain languishes, while her taxes increase, and her revenues diminish, France is securing and drawing to herself that commerce which is the basis of your power. My motion was stated generally, that I might leave the question at large to the wisdom of your lordships. But, my lords, I will tell you fairly what I wish for—I wish for a repeal of every oppressive act passed since 1763; I would put America precisely on the footing she stood at that period. If it be asked, Why should we submit to concede? I will tell you, my lords: Because you have been the aggressors from the beginning: you ought, therefore, to make the first overture. I say again, my lords, you have been the aggressors, you have made descents upon their coasts, you have burned their towns, plundered their country, made war upon the inhabitants, confiscated their property, proscribed and imprisoned their persons:—you have injured, oppressed, and endeavored to enslave them. America is therefore entitled to redress. Let then reparation come from the hand that inflicted the injuries; let conciliation succeed to oppression; and I maintain, that parliament will again recover its authority; that his majesty will be once more enthroned in the hearts of his subjects; and that your lordships, as contributing to so great, benignant, and glorious an event, will receive the prayers and benedictions of every part of the British empire.

LORD CHATHAM ON HIS MOTION TO AMEND THE ADDRESS.

It has been usual on similar occasions of public difficulty and distress, for the crown to make application to this house, the great hereditary council of the nation, for advice and assistance. As it is the right of parliament to give, so it is the duty of the crown to ask it. But, on this day, and in this extreme momentous exigency, no reliance is reposed on your counsels—no advice is asked of parliament; but the crown from itself, and by itself, declares an unalterable determination to pursue its own preconceived measures; and what measures, my lords? measures which have produced hitherto nothing but disappointments and defeats. I CANNOT, my lords, I WILL NOT join in congratulation on misfortune and disgrace. This, my lords, is a perilous and tremendous moment: it is not a time for adulation: the smoothness of flattery cannot save us in this rugged and awful crisis. It is now necessary to instruct the throne, in the language of TRUTH. We must, if possible, dispel the delusion and darkness which envelop it; and display, in its full danger and genuine colors, the ruin which is brought to our doors. Can ministers still presume to expect support in their infatuation? Can parliament be so dead to its dignity and duty as to give their support to measures thus obtruded and forced upon them? Measures, my lords, which have reduced this late flourishing empire to scorn and contempt. But yesterday, "and England might have stood against the world—now, none so poor to do her reverence." The people whom we at first despised as *rebels*, but whom we now acknowledge as *enemies*, are abetted against you, supplied with every military store, their interests consulted, and their ambassadors entertained by your inveterate enemy; and our ministers do not, and dare not, interpose with dignity or effect. The desperate state of our army abroad is in part known. No man more highly esteems and honors the English troops than I do: I know their virtue and their valor: I know they can achieve anything except impossibilities; and I know that the conquest of English America is an impossibility. You CANNOT, my lords, you CANNOT conquer Amer-

ica. What is your present situation there? *We do not know the worst*, but we know that in three campaigns we have done nothing, and suffered much. You may swell every expense, and strain every effort, accumulate every assistance, and extend your traffic to the *shambles* of every *German* despot; your attempts forever will be vain and impotent; doubly so indeed from this mercenary aid on which you rely; for it irritates to an incurable resentment the minds of your adversaries to overrun them with the mercenary sons of rapine and plunder, devoting them and their possessions to the rapacity of hireling cruelty. If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms—NEVER! NEVER! NEVER! But, my lords, who is the man, that in addition to the disgraces and mischiefs of war, has dared to authorize, and associate to our arms the *toma-hawk* and *scalping-knife* of the savage—to call into civilized alliance the wild and inhuman inhabitant of the woods?—to delegate to the merciless Indian the defence of disputed rights, and to wage the horrors of his barbarous war against our brethren? My lords, these enormities cry aloud for redress and punishment. Familiarized to the horrid scenes of savage cruelty, our army can no longer boast of the noble and generous principles which dignify a soldier. No longer are their feelings awake to “the pride, pomp, and circumstance of glorious war;”—but the sense of honor is degraded into a vile spirit of plunder, and the systematic practice of murder. From the ancient connection between Great Britain and her colonies, both parties derived the most important advantage. While the shield of our protection was extended over America, she was the fountain of our wealth, the nerve of our strength, the basis of our power. It is not, my lords, a wild and lawless banditti whom we oppose; the resistance of America is the struggle of free and virtuous patriots. Let us then seize with eagerness the present moment of reconciliation. America has not yet finally given herself up to France; there yet remains a possibility of escape from the fatal effect of our delusions. In this complicated crisis of danger, weakness, and calamity, terrified and insulted by the neighboring powers, unable to act in America, or acting only to be destroyed, WHERE is the man

who will venture to flatter us with the hope of success from the perseverance in measures productive of these dire effects? Who has the effrontery to attempt it? Where is that man? Let him, if he DARE, stand forward and show his face. You cannot conciliate America by your present measures: you cannot subdue her by your present or any measures. What then can you do? You cannot conquer, you cannot gain; but you can ADDRESS; you can lull the fears and anxieties of the moment into ignorance of the danger that should produce them. I did hope, instead of that false and empty pride, engendering high conceits and presumptuous imaginations, that ministers would have humbled themselves in their errors—would have confessed and retracted them, and by an active, though a late repentance, have endeavored to redeem them. But, my lords, since they have neither sagacity to foresee, nor justice nor humanity to shun those calamities—since not even bitter experience can make them feel, nor the imminent ruin of their country awaken them from their stupefaction, the guardian care of parliament must interpose. I shall therefore, my lords, propose to you an amendment to the address to his Majesty—To recommend an immediate cessation of hostilities, and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. This, my lords, is yet in your power; and let not the wisdom and justice of your lordships neglect the happy, and perhaps the only opportunity.

LORD CHATHAM ON THE EMPLOYMENT OF INDIANS
AGAINST AMERICA.

I AM astonished, SHOCKED to hear such principles confessed: to hear them avowed in this house, or even in this country. My lords, I did not intend to have encroached again on your attention, but I cannot repress my indignation. I feel myself IMPULSED to speak. My lords, we are called upon as members of this house, as men, as Christians, to protest against such horrible barbarity—"That God and Nature put into our hands!" What ideas of God

and Nature that noble lord may entertain, I know not; but I know that such detestable principles are equally abhorrent to religion and humanity! What! to attribute the sacred sanction of God and Nature to the massacres of the Indian scalping-knife!—to the cannibal savages, torturing, murdering, devouring, drinking the blood of his mangled victims! Such notions shock every precept of morality, every feeling of humanity, every sentiment of honor. These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon that reverend, and this most learned bench to vindicate the religion of their God, to support the justice of their country. I call upon the bishops to interpose the unsullied sanctity of their lawn: upon the judges to interpose the purity of their ermine, to save us from this pollution. I call upon the honor of your lordships to reverence the dignity of your ancestors, and to maintain your own. I call upon the spirit and humanity of my country, to vindicate the national character, I invoke the genius of the constitution. From the tapestry that adorns these walls, the immortal ancestor of this noble lord frowns with indignation at the disgrace of his country.* In vain did he defend the liberty and establish the religion of Britain, against the tyranny of Rome, if these worse than popish cruelties and inquisitorial practices are endured among us. To send forth the merciless cannibal, thirsting for blood! against whom! Your protestant brethren!—to lay waste their country, to desolate their dwellings, and extirpate their race and name, by the aid and instrumentality of these horrible *hell-hounds of war*! Spain can no longer boast pre-eminence in barbarity. She armed herself with blood-hounds to extirpate the wretched natives of Mexico; but we, more ruthless, loose the *dogs of war* against our countrymen in America, endeared to us by every tie that should sanctify humanity. My lords, I solemnly call upon your lordships, and upon every order of men in the state, to stamp upon this infamous procedure the indelible stigma of the public

* The tapestry of the House of Lords represents the defeat of the Spanish Armada, in the reign of Queen Elizabeth, by Admiral Howard, an ancestor of Lord Suffolk—the Admiral is a conspicuous figure in the tapestry.

abhorrence. More particularly I call upon the holy prelates of our religion to do away this iniquity : let them perform a lustration to purify their country from this deep and deadly sin. My lords, I am old and weak, and at present unable to say more, but my feelings and indignation were too strong to say less. I could not have slept this night in my bed, nor reposed my head upon my pillow, without giving this vent to my eternal abhorrence of such enormous and preposterous principles.

FOX ON THE ARRIVAL OF THE NEWS OF THE BATTLE OF GUILDFORD COURT-HOUSE.

I PROCEED next to the battle of Guildford, where the Gazette asserts, we had obtained a signal victory. This term, I doubt not, was used by Lord Cornwallis in a very proper sense ; for he could only attend to the disproportion between the two armies ; in which point of view, no doubt, that a victory should be gained on our side was very astonishing, and highly honorable to the troops ; but if the consequences of the action were to be regarded, then he must understand the word signal in a very different sense ; and allow the victory to have been *signalized*, by drawing after it the same identical effects that might have been expected from a defeat. Had our army been vanquished, what course could they have taken ? Certainly they would have abandoned the field of action, and flown for refuge to the sea-side : now these are precisely the measures we were obliged to adopt after the action at Guildford, the victorious army leaving the field, abandoning the future object of its expedition, and retiring to the fleet. Another term used by Lord Cornwallis I must also take notice of : he called his army a *little one* ; and well indeed might he give it that appellation, since his whole force did not amount at the utmost to three thousand men. I take that number merely to avoid a contradiction that might divert the current of debate into an improper channel ; for I am credibly informed the army did not amount to one half the number ; but taking it at three thousand,

Men on what principle could ministers even justify confining the operations of this active and spirited general by so scanty a force? Little indeed the army was, compared to the enemy it combated, but still less if compared to the army estimates voted this session; for it appeared by them, that no less than eighty-three thousand men were employed in America, including a number in the West Indies; so that, in order to bring three thousand men into the field, the public were to pay for and provide eighty thousand. I do not mean absolutely to say, that so many were actually in the service, perhaps not a tenth part of them could be produced; but the account of them was to be seen on the table; and what language could properly describe the fraudulent conduct of ministers in imposing so grievous a burden on the people without necessity. I will take, however, if they please, the other alternative; I will suppose every man charged in the estimates to be really employed, and that it was necessary to keep eighty thousand on the defensive, that three thousand might be brought into the field: need there anything else be urged to prove the ruinous tendency of the American war? For Lord Cornwallis had stated as his opinion, that defensive measures would be certain ruin to our affairs; and yet we could not act offensively without keeping about a proportion of twenty-five to one in garrison; nor did this computation go far enough, as, besides the eighty-three thousand, our friends in America were to be reckoned nine tenths of the whole; instead of which, however, I am inclined to think a great part of the former number were necessarily employed to watch them, instead of their being anywise serviceable to our cause. From this I deduce the absurdity of attempting to contend with France in America: we had conquered that power in Germany last war, as it had been said: for my part, I rather entertain a different opinion, believing that both powers found that conflict so expensive, that they retired from it mutually exhausted, and saw it answered to them the end of a war nearer home, by sufficiently weakening each other; but would that equality of expense exist in the present case? Certainly not; for the ministry could not deny, that if we had a hundred thousand men in America, and France only twenty-five thousand, she could bring more troops into the field than

we ; but besides this, allowing we each brought the same number, our enemy would not incur one-fifth part of our expenses.

Though Lord Cornwallis had done everything he proposed by penetrating into North Carolina, though he had been fortunate enough to come up with General Greene, engaged, and defeated him, he had found no one good consequence of his success, not being joined by any body of Americans as he expected, nor even retaining the ground on which he had conquered. As therefore no unforeseen obstacles had presented themselves, and no ill conduct had attended the execution of the plan, it was undeniable, that the project was a vain one, similar to all the other enterprises we had formed during the course of the war ; for inimical as the inhabitants of the country were always found, and defended as they were by natural barriers, extensive conquests must ever be impracticable, and no abilities of the general or valor of the troops could avail to any substantial success. This was experienced by General Burgoyne at Bennington ; by General Howe at Long Island ; by Lord Cornwallis at Guilford, and so it ever must be found while the constitution of things in America remained the same. Ministers had already tried the fortune of war in nearly all the thirteen provinces : they began with Massachusetts Bay, which was in the first commencement of the war supposed the only hostile part of the continent. An insurrection in the province of Massachusetts Bay was the general phrase, and formed the preamble in every act of parliament for coercing America ; of course, therefore, to suppress that insurrection was the only object of the war, and Boston was then taken possession of as the only military operation necessary ; but in a short time that town was abandoned again, and with so much avidity, that a great minister of state, now no more [Lord Suffolk], had even congratulated parliament on the occasion. We then possessed ourselves of New York, finding the flame of rebellion had extended farther southwards, and there continued till this hour, though it seemed it was not a situation for offensive measures. The next enterprise was levelled at the middle colonies, and Philadelphia taken ; which success was preceded by a very important victory ; yet that place was abandoned also, much to our satisfaction, and

the retreat from it had eternized the name of Clinton. After this, we discovered all at once, that the Southern Colonies were most vulnerable and proper for an attack. A noble lord [Lord Westcote] proclaimed their inhabitants to be effeminate and enervated by the heat of the sun : his lordship being a scholar reasoned on the topic very scientifically, and his ideas were a once adopted : Charleston, in consequence, was taken ; and but for extraordinary exertions of bravery, would have turned out conquest more injurious to our cause than any of the preceding. In short, we had now attempted every province but Virginia and New Hampshire, the latter of which I am sorry to find could not be invaded without great difficulty ; but as to the former, I understand it is to be the next object of enterprise : now I should be happy to learn whether after the thirteen colonies had been invaded, without advancing our grand object a single step, ministers would at last consent to relinquish this most destructive war. If I can only obtain an assurance of that, I will readily consent to an attempt on Virginia, and think I made a good bargain for my constituents.

PITT IN THE SAME DEBATE.

SOME gentlemen had passed the highest eulogiums on the American war. Its justice was defended in the most warm and fervent manner indeed. A noble lord in the heat of his zeal had called it a holy war. For my part, though the honorable gentleman who made the motion, and some other gentlemen, had been more than once in the course of the debate severely reprehended for calling it a wicked and accursed war, I am persuaded, and will affirm, that it was a most cursed, wicked, barbarous, cruel, unnatural, unjust, and diabolical war. It was conceived in injustice : it was nurtured and brought forth in folly : its footsteps were marked with blood, slaughter, persecution, and devastation : in truth, everything which went to constitute moral depravity and human turpitude, was to be found in it. It was

pregnant with misery of every kind. The mischiefs, however, recoiled on the unhappy people of this country who were made the instruments, by which the wicked purposes of its authors were effected. The nation was drained of its best blood and of its vital resources of men and money. The expense of it was enormous, much beyond any former experience; and yet, what had the British nation received in return? Nothing but a series of ineffective victories, or severe defeats—victories celebrated only by a temporary triumph over our brethren, whom we would trample down and destroy; which filled the land with mourning for the loss of dear and valued relations, slain in the impious cause of enforcing unconditional submission; or with narratives of the glorious exertions of men, struggling in the holy cause of liberty, though struggling under all the difficulties and disadvantages which in general are deemed the necessary concomitants of victory and success. Where was the Englishman, on reading the narratives of those bloody and well-fought contests, who could refrain from lamenting the loss of so much British blood, spilt in such a cause? or from weeping on whatever side victory might be declared? Add to this melancholy consideration, that on whichever side we looked, we could perceive nothing but our natural and powerful enemies, or lukewarm and faithless friends, rejoicing in our calamities, or meditating our ultimate downfall.

FOX ON THE ARRIVAL OF THE NEWS OF THE SURRENDER OF LORD CORNWALLIS.

I HAD expected, and I know it has been expected by many others, to hear on this occasion his majesty declare from the throne, that he had been deceived and imposed upon by misinformation and misrepresentation; that in consequence of his delusion, the parliament had been deluded; but that now the deception was at an end; and requesting of his parliament to devise the most speedy and efficacious means of putting an end to the public ca-

lamities ; instead of which they had heard a speech breathing little else than vengeance, misery, and blood. Those who were ignorant of the personal character of the Sovereign, and who imagined this speech to originate with him, might be led to suppose that he was an unfeeling despot, rejoicing in the horrid sacrifice of the liberty and lives of his subjects, who, when all hope of victory was vanished, still thirsted for revenge. The ministers, who advised this speech, are a curse to the country, over the affairs of which they have too long been suffered to preside. From that unrivalled pre-eminence which we so lately possessed, they have made us the object of ridicule and scorn to the surrounding nations. The noble lord in the blue riband has indeed thought fit to ascribe the American war and all its attendant calamities to the speeches of Opposition. Oh ! wretched and incapable ministry, whose measures are framed with so little foresight, and executed with so little firmness, that because a rash and intemperate invective is uttered against them in the House of Commons, they shall instantly crumble in pieces, and bring down ruin upon the country ! Miserable statesman ! to allow for no contingencies of fortune, no ebullition of passion, no collision of sentiment ! Could he expect the concurrence of every individual in that house ? and was he so weak or wicked, as to contrive plans of government of such a texture, that the intervention of circumstances, obvious and unavoidable, would occasion their total failure, and hazard the existence of the empire ? Ministers must expect to hear of the calamities in which they had involved the empire, again and again—not merely in that house, but at the tribunal of justice ; for the time will surely come, when an oppressed and irritated people will firmly call for signal punishment on those whose counsels have brought the nation so near to the brink of destruction. An indignant nation will surely in the end compel them to make some faint atonement for the magnitude of their offences on a public scaffold.

BURKE ON THE RIGHT TO INSTRUCT REPRESENTATIVES.

I AM sorry I cannot conclude, without saying a word on a topic touched upon by my worthy colleague. I wish that topic had been passed by; at a time when I have so little leisure to discuss it. But since he has thought proper to throw it out, I owe you a clear explanation of my poor sentiments on that subject.

He tells you, that "the topic of instructions has occasioned much altercation and uneasiness in this city;" and he expresses himself (if I understand him rightly) in favor of the coercive authority of such instructions.

Certainly, gentlemen, it ought to be the happiness and glory of a representative, to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion, high respect; their business unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs: and above all, ever, and in all cases, to prefer their interest to his own. But, his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you; to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

My worthy colleague says, his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours, without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of inclination; and, what sort of reason is that, in which the determination precedes the discussion; in which one set of men deliberate, and another decide; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?

To deliver an opinion, is the right of all men; that of constitu

ents is a weighty and respectable opinion, which a representative ought always to rejoice to hear; and which he ought always most seriously to consider. But *authoritative* instructions; *mandates* issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience; these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our constitution.

Parliament is not a *congress* of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of *parliament*. If the local constituent should have an interest, or should form a hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far, as any other, from any endeavor to give it effect. I beg pardon for saying so much on this subject. I have been unwillingly drawn into it; but I shall ever use a respectful frankness of communication with you. Your faithful friend, your devoted servant, I shall be to the end of my life: a flatterer you do not wish for. On this point of instructions, however, I think it scarcely possible, we ever can have any sort of difference. Perhaps I may give you too much, rather than too little trouble.

From the first hour I was encouraged to court your favor to this happy day of obtaining it, I have never promised you anything, but humble and persevering endeavors to do my duty. The weight of that duty, I confess, makes me tremble; and whoever well considers what it is, of all things in the world will fly from what has the least likeness to a positive and precipitate engagement. To be a good member of parliament, is, let me tell you, no easy task; especially at this time, when there is so strong a disposition to run into the perilous extremes of servile compliance or wild popularity. To unite circumspection with vigor, is

absolutely necessary ; but it is extremely difficult. We are now members for a rich commercial *city* ; this city, however, is but a part of a rich commercial *nation*, the interests of which are various, multiform, and intricate. We are members for that great nation, which however is itself but part of a great *empire*, extended by our virtue and our fortune to the farthest limits of the east and of the west. All these wide-spread interests must be considered ; must be compared ; must be reconciled if possible. We are members for a *free* country ; and surely we all know, that the machine of a free constitution is no simple thing ; but as intricate and as delicate, as it is valuable. We are members in a great and ancient *monarchy* ; and we must preserve religiously, the true legal rights of the sovereign, which form the keystone that binds together the noble and well-constructed arch of our empire and our constitution. A constitution made up of balanced powers must ever be a critical thing. As such I mean to touch that part of it which comes within my reach. I know my inability, and I wish for support from every quarter. In particular I shall aim at the friendship, and shall cultivate the best correspondence, of the worthy colleague you have given me.

BURKE ON THE RIGHT TO TAX AMERICA—1781.

Oh ! inestimable right, oh ! wonderful, transcendent right, the assertion of which has cost this country thirteen provinces, six islands, 100,000 lives, and seventy millions of money ! Oh invaluable right ! for the sake of which we have sacrificed our rank among nations, our importance abroad, and our happiness at home ! Oh right ! more dear to us than our existence, which has already cost us so much, and which seems likely to cost us our all. Infatuated man ! (cried Mr. Burke, fixing his eyes on the minister) miserable and undone country ! not to know that the claim of right without the power of enforcing it, is nugatory and idle. We had a right to tax America, the noble lord tells us ; therefore we ought to tax America. This is the profound

logic which comprises the whole chain of his reasoning. Not inferior to this was the wisdom of him who resolved to shear the wolf. What! shear a wolf! Have you considered the resistance, the difficulty, the danger of the attempt? No, says the madman, I have considered nothing but the right. Man has a right of dominion over the beasts of the forest; and therefore I will shear the wolf. How wonderful that a nation could be thus deluded. But the noble lord dealt in cheats and delusions. They were the daily traffic of his invention; and he would continue to play off his cheats on this house, so long as he thought them necessary to his purpose, and so long as he had money enough at command to bribe gentlemen to pretend that they believed him. But a black and bitter day of reckoning would surely come; and whenever that day came, he trusted he should be able, by a parliamentary impeachment, to bring upon the heads of the authors of our calamities, the punishment they deserved.

BURKE'S DESCRIPTION OF JUNIUS.

WHERE, then, sir, shall we look for the origin of this relaxation of the laws and of all government? How comes this Junius to have broken through the cobwebs of the law, and to range uncontrolled, unpunished, through the land? The myrmidons of the court have long been, and are still, pursuing him in vain. They will not spend their time upon me, or you, or you: no; they disdain such vermin, when the mighty boar of the forest, that has broken through all their toils, is before them. But, what will all their efforts avail? No sooner has he wounded one, than he lays down another dead at his feet. For my part, when I saw his attack upon the king, I own my blood ran cold. I thought he had ventured too far, and that there was an end of his triumphs; not that he had not asserted many truths. Yes, sir, there are in that composition many bold truths by which a wise prince might profit. It was the rancor and venom with which I was struck. In the

respects the North Briton is as much inferior to him, as in strength, wit, and judgment.

But while I expected from this daring flight his final ruin and fall, behold him rising still higher, and coming down souse upon both houses of parliament. Yes, he did make you his quarry, and you still bleed from the wounds of his talons. You crouched, and still crouch beneath his rage. Nor has he dreaded the terror of your brow, sir; he has attacked even you—he has—and I believe you have no reason to triumph in the encounter. In short, after carrying away our royal eagle in his pounces, and dashing him against a rock, he has laid you prostrate. King, Lords, and Commons, are but the sport of his fury. Were he a member of this house, what might not be expected from his knowledge, his firmness and integrity! He would be easily known by his contempt of all danger, by his penetration, by his vigor. Nothing would escape his vigilance and activity; bad ministers could conceal nothing from his sagacity; nor could promises or threats induce him to conceal anything from the public.

BURKE ON PENAL STATUTES AGAINST CATHOLICS.

A STATUTE was fabricated in the year 1699, by which the saying mass (a church service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offence whatever against the laws, or against good morals) was forged into a crime punishable with perpetual imprisonment. The teaching school, a useful and virtuous occupation, even the teaching in a private family, was in every Catholic subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute on this law. Every Roman Catholic was, under the same act, to forfeit his estate to his nearest Protestant relation, until, through a profession of what he did not believe, he redeemed by his hypocrisy, what the law had transferred to the kinsman as the recompense of his

property. When thus turned out of doors from his paternal estate, he was disabled from acquiring any other by any industry, donation, or charity; but was rendered a foreigner in his native land, only because he retained the religion, along with the property, handed down to him from those who had been the old inhabitants of that land before him.

Does any one, who hears me, approve this scheme of things, or think there is common justice, common sense, or common honesty in any part of it? If any does, let him say it, and I am ready to discuss the point with temper and candor. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

The effects of the act have been as mischievous, as its origin was ludicrous and shameful. From that time every person of that communion, lay and ecclesiastic, has been obliged to fly from the face of day. The clergy, concealed in garrets of private houses, or obliged to take a shelter (hardly safe to themselves, but infinitely dangerous to their country) under the privileges of foreign ministers, officiated as their servants, and under their protection. The whole body of the Catholics, condemned to beggary and ignorance in their native land, have been obliged to learn the principles of letters, at the hazard of all their other principles, from the charity of your enemies. They have been taxed to their ruin at the pleasure of necessitous and profligate relations, and according to the measures of their necessity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who stands near me in this hall. It is but six or seven years since a clergyman by the name of Malony, a man of morals, neither guilty nor accused of anything noxious to the state, was condemned to perpetual imprisonment for exercising the functions of his religion; and after lying in jail for two or three years, was relieved by the mercy of government from perpetual imprisonment, on condition of perpetual banishment. A brother of the Earl of Shrewsbury, a Talbot, a name respectable in this country, whilst its glory is any part of its concern, was hauled to the bar of the Old Bailey, among common felons, and only escaped the same doom, either by some error in

the process, or that the wretch who brought him there could not correctly describe his person ; I now forget which. In short, the persecution would never have relented for a moment, if the judges superseding (though with an ambiguous example) the strict rule of their official duty, by the higher obligations of their consciences, did not constantly throw off every difficulty in the way of such informers. But so ineffectual is the power of legal evasion against legal inquiry, that it was but the other day, that a lady of condition, beyond the middle of life, was on the point of being stripped of her whole fortune by a near relation, to whom she had been a friend and benefactor : and she must have been totally ruined, without a power of redress or mitigation from the courts of law, had not the legislature itself rushed in, and by a special act of parliament rescued her from the injustice of its own statutes. One of the acts authorizing such things was that which we in part repealed, knowing what our duty was, and doing that duty as men of honor and virtue, as good Protestants, and as good citizens. Let him stand forth that disapproves what we have done.

Gentlemen, bad laws are the worst sort of tyranny. In such a country as this they are of all bad things the worst, worse by far than anywhere else ; and they derive a particular malignity even from the wisdom and soundness of the rest of our institutions. For very obvious reasons you cannot trust the crown with a dispensing power over any of your laws. However, a government, be it as bad as it may, will, in the exercise of a discretionary power, discriminate times and persons ; and will not ordinarily pursue any man, when his own safety is not concerned. A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the government, but they live at the mercy of every individual ; they are at once the slaves of the whole community and of every part of it ; and the worst and the most unmerciful men are those on whose goodness they most depend.

In this situation men not only shrink from the frowns of a stern magistrate ; but they are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse, in

social habitudes. The blood of wholesome kindred is infected. Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted into instruments of terror and torment. This species of universal subserviency, that makes the very servant, who waits behind your chair, the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind, which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the jail-distemper of a contagious servitude, to keep him above ground an animated mass of putrefaction, corrupted himself, and corrupting all about him.

I must fairly tell you, that so far as my principles are concerned (principles, that I hope will only depart with my last breath), that I have no idea of a liberty unconnected with honesty and justice. Nor do I believe, that any good constitutions of government or of freedom, can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republics have been, and are, full as capable as monarchs, of the most cruel oppression and injustice. It is but too true, that the love and even the very idea of genuine liberty, is extremely rare. It is but too true, that there are many whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thralldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them, descends to those who are the very lowest of all; and a protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the

passion, which many men, in very humble life, have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependents. This lust of party-power is the liberty they hunger and thirst for; and this syren song of ambition has charmed ears, that one would have thought were never organized to that sort of music. This way of proscribing the citizens by denominations and general descriptions, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues, or any of the energies, that give a title to it; a receipt of policy made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as God and nature ever intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a compendious method, and saves a world of trouble about proof; but such a method, instead of being law, is an act of unnatural rebellion against the legal dominion of reason and justice; and this vice, in any constitution that entertains it, at one time or other will certainly bring on its ruin.

We are told that this is not a religious persecution; and its abettors are loud in disclaiming all severities on account of conscience. Very fine, indeed! then let it be so; they are not persecutors; they are only tyrants. With all my heart. I am

perfectly indifferent concerning the pretexts upon which we torment one another; or whether it be for the constitution of the church of England, or for the constitution of the state of England, the people choose to make their fellow-creatures wretched. When we were sent into a place of authority, you that sent us had yourselves but one commission to give. You could give us none to wrong or oppress, or even to suffer any kind of oppression or wrong, on any grounds whatsoever; not on political, as in the affairs of America; not on commercial, as in those of Ireland; not in civil, as in the laws for debt; not in religious, as in the statutes against Protestant or Catholic dissenters. The diversified but connected fabric of universal justice is well cramped and bolted together in all its parts; and depend upon it, I never have employed, and I never shall employ, any engine of power which may come into my hands, to wrench it asunder. All shall stand, if I can help it, and all shall stand connected. After all, to complete this work, much remains to be done; much in the East, much in the West. But great as the work is, if our will be ready, our powers are not deficient.

Since you have suffered me to trouble you so much on this subject, permit me, gentlemen, to detain you a little longer. I am indeed most solicitous to give you perfect satisfaction. I find there are some of a better and softer nature than the persons with whom I have supposed myself in debate, who neither think ill of the act of relief, nor by any means to desire the repeal, yet who, not accusing but lamenting what was done, on account of the consequences, have frequently expressed their wish, that the late act had never been made. Some of this description, and persons of worth, I have met with in this city. They conceive, that the prejudices, whatever they might be, of a large part of the people, ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to; and that thereby the late horrid scenes might have been prevented.

I confess, my notions are widely different; and I never was less sorry for any action of my life. I like the bill the better, on account of the events of all kinds that followed it. It relieved the real sufferers; it strengthened the state, and, by the disorders

that ensued, we had clear evidence that there lurked a temper somewhere, which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew, that all these kinds of men would gladly gratify their evil disposition under the sanction of law and religion, if they could: if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and ruin on themselves, that I am to be sorry that you are in possession of shops, and of warehouses, and of wholesome laws to protect them? Are you to build no houses, because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat, because he sees you give alms to the necessitous and deserving; shall his destruction be attributed to your charity, and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper, which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate anything but themselves? Does evil so react upon good, as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such cases, is to be implicitly obeyed; near two years' tranquillity, which followed the act, and its instant imitation in Ireland, proved abundantly, that the late horrible spirit was, in a great measure, the act of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate, and much more general than I am persuaded it was—when we know that the opinions of even the greatest multitudes

are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am, that such *things*, as they and I, are possessed of no such power. No man carries farther than I do the policy of making government pleasing to the people. But the widest range of this politic complaisance is confined within the limits of justice. I would not only consult the interests of the people, but I would cheerfully gratify their humors. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient creature whatsoever, no, not so much as a kitling to torment.

But, if I profess all this impolitic stubbornness, "I may chance never to be elected into parliament." It is certainly not pleasing to be put out of the public service. But I wish to be a member of parliament, to have my share of doing good, and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life, hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can never sufficiently express my gratitude to you for having set me in a place, wherein I could lend the slightest help to great and laudable designs. If I have had my share in any measure in giving quiet to private property, and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for his comfort to the good-will of

his countrymen : if I have thus taken my part with the best of men in the best of their actions, I can shut the book—I might wish to read a page or two more—but this is enough for my measure—I have not lived in vain.

And now, gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or neglect of duty. It is not said, that, in the long period of my service, I have, in a single instance, sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged, that to gratify any anger, or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind, that I have pushed the principles of general justice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me.—In every accident which may happen through life, in pain, in sorrow, in depression, and distress—I will call to mind this accusation, and be comforted.

DR. SHIPLEY ON TOLERATION.

THE repeal of those penal laws which have long been the disgrace of the national church, has my most cordial acquiescence; I object only to the condition annexed to the repeal, the imposition of a confession of faith, however short, and general, and true, such as I hope I shall have the virtue, if called upon, to seal with my blood. But I absolutely disclaim for myself any authority civil or sacred to impose this creed upon other men. By such imposition the present bill, which professes to repeal all former penal laws, is converted into a penal law itself; for those who do not subscribe the declaration, still remain liable to all the old penalties. The truth contained in the declaration, viz. :—"That the Scriptures are the revealed will of God, and the rule of faith and

practice," was indeed acknowledged by every Protestant. But supposing the existence of any set of Christians who should reject our canon of Scripture, who should build their faith on the basis of tradition, or on the supposed illuminations of the Spirit, would you, my lords, persecute them for believing Christianity upon arguments that suit their own understandings? Such men would undoubtedly be in error, but error in religion is the very ground and subject of toleration. The evils resulting from this declaration are not however confined to possibilities. Many of the most eminent of the dissenting ministers—men highly deserving esteem for their science, their literature, their critical study of the Scriptures, for their excellent writings in defence of Christianity, as well as of the civil and religious rights of mankind—men, whom it would be no disparagement to this bench to acknowledge as friends and brethren, engaged in the same honorable and arduous task of instructing the world in the ways of happiness—such men as these, my lords, if the clause in question be enacted and carried into execution, will not even be tolerated. Declaring, as they have invariably done, against all human authority in matters of religion, and holding it as a first principle of protestantism that no church has a right to impose its own articles of faith upon others, they conceive that an acquiescence in this declaration would imply a recognition of that claim which they are bound, as Christians and protestants to resist. It is the duty of magistrates, it is indeed the very end of magistracy to protect *all men* in the enjoyment of their natural rights, of which the free exercise of their religion is one of the first and best. All history, my lords, is full of the mischiefs occasioned by the want of toleration; but no one has ever yet pretended to show, that any public evils have been occasioned by toleration. At a meeting of the Right Reverend Bench, where I had the honor to be present, it was asked, whether the clause in question was ever intended to be put in execution? It was answered, No—there was no such intention. I asked then, and I ask now, What was the use of making laws that were never to be executed? To make useless and insignificant laws is not to exercise authority, but to degrade it: it is a vain, idle, and insolent parade of legislation; and yet, my lords, would to God!

the four last shameful and miserable years had been employed in making such laws as this: this wretched country might still have been safe, and perhaps once more might have been happy. But, my lords, let us for a moment consider to whom this power of prescribing articles of faith is to be confided: undoubtedly this holy deposit cannot fail to be lodged, where we have placed everything else that is great, and good: the honor, the interest, the strength, and revenues of the nation, ALL are placed in the keeping of the ministry. Perhaps, my lords, there might be ministers to whose management none, who have the least value for their religion would choose to confide it. One might naturally ask a minister for a good pension, or a good contract, or a place at court; but hardly any one would think of making interest with him for a place in HEAVEN. What I now say applies only to future bad ministers, for of the present administration I most firmly believe that they are fully as capable of defining articles of faith as of directing the councils of the state. The ruling party is always very liberal in bestowing the title of schismatic and heretic on those who differ from them in religion, and in representing them as dangerous to the state. My lords, the contrary is the truth. Those who are uppermost and have the power, are the men who do the mischief, while the schismatics only suffer and complain. Ask who has brought the affairs of this country into the present calamitous state? Who are the men that have plundered and depopulated Bengal? Who are they that have turned a whole continent, inhabited by friends and kindred, into our bitterest enemies? Yes, they who have shorn the strength, and cut off the right arm of Britain, were all members of the established church, all orthodox men. I am not afraid of those tender and scrupulous consciences who are over-cautious of professing or believing too much: if they are sincerely in the wrong, I forgive their errors, and respect their integrity. The men I am afraid of are the men who believe everything, who subscribe everything, and who VOTE for everything.

LORD CHATHAM IN REPLY TO LORD MANSFIELD.

MY LORDS,—There is one plain maxim, to which I have invariably adhered through life; that in every question, in which my liberty or my property were concerned, I should consult and be determined by the dictates of common sense. I confess, my lords, that I am apt to distrust the refinements of learning, because I have seen the ablest and the most learned men equally liable to deceive themselves and to mislead others. The condition of human nature would be lamentable indeed, if nothing less than the greatest learning and talents, which fall to the share of so small a number of men, were sufficient to direct our judgment and our conduct. But providence has taken better care of our happiness, and given us, in the simplicity of common sense, a rule for our direction, by which we never shall be misled. I confess, my lords, I had no other guide in drawing up the amendment which I submitted to your consideration: and before I heard the opinion of the noble lord who spoke last, I did not conceive, that it was even within the limits of possibility for the greatest human genius, the most subtle understanding, or the acutest wit, so strangely to misrepresent my meaning, and give it an interpretation so entirely foreign from what I intended to express, and from that sense which the very terms of the amendment plainly and distinctly carry with them. If there be the smallest foundation for the censure thrown upon me by that noble lord; if, either expressly or by the most distant implication, I have said or insinuated any part of what the noble lord has charged me with, discard the opinions forever, discard the motion with contempt.

My lords, I must beg the indulgence of the house. Neither will my health permit me, nor do I pretend to be qualified to follow that learned lord minutely through the whole of his argument. No man is better acquainted with his abilities or his learning, nor has a greater respect for them, than I have. I have had the pleasure of sitting with him in the other house, and always listened to him with attention. I have not now lost a word of what he said, nor did I ever. Upon the present question I

meet him without fear. The evidence which truth carries with it, is superior to all argument: it neither wants the support, nor dreads the opposition of the greatest abilities. If there be a single word in the amendment to justify the interpretation which the noble lord has been pleased to give it, I am ready to renounce the whole: let it be read, my lords: let it speak for itself. (*It was read*).—In what instance does it interfere with the privileges of the House of Commons? In what respect does it question their jurisdiction, or suppose an authority in this house to arraign the justice of their sentence? I am sure that every lord who hears me, will bear me witness that I said not one word touching the merits of the Middlesex election: far from conveying any opinion upon that matter in the amendment, I did not even in discourse deliver my own sentiments upon it. I did not say that the House of Commons had done either right or wrong: but when his majesty was pleased to recommend it to us to cultivate unanimity among ourselves, I thought it the duty of this house, as the great hereditary council of the crown, to state to his majesty the distracted condition of his dominions, together with the events which had destroyed unanimity among his subjects. But, my lords, I stated those events merely as facts, without the smallest addition either of censure or of opinion. They are facts, my lords, which I am not only convinced are true, but which I know are indisputably true. For example, my lords; will any man deny that discontents prevail in many parts of his majesty's dominions? or that those discontents arise from the proceedings of the House of Commons, touching the declared incapacity of Mr. Wilkes? It is impossible: no man can deny a truth so notorious, nor will any man deny that those proceedings refused, by a resolution of one branch of the legislature only, to the subject, his common right. Is it not indisputably true, my lords, that Mr. Wilkes had a common right, and that he lost it no other way but by a resolution of the House of Commons? My lords, I have been tender of misrepresenting the House of Commons; I have consulted their journals, and have taken every word of their own resolution. Do they not tell us, in so many words, that Mr. Wilkes having been expelled, was thereby rendered incapable of serving in that parlia-

ment? And is it not their resolution alone, which refuses to the subject his common right? The amendment says farther, that the electors of Middlesex are deprived of their free choice of a representative. Is this a false fact, my lords? or have I given an unfair representation of it? Will any man presume to affirm that Colonel Luttrell is the free choice of the electors of Middlesex? We all know the contrary. We all know that Mr. Wilkes (whom I mention without either praise or censure) was the favorite of the county, and chosen by a very great and acknowledged majority, to represent them in parliament. If the noble lord dislikes the manner in which these facts are stated, I shall think myself happy in being advised by him how to alter it. I am very little anxious about terms, provided the substance be preserved; and these are facts, my lords, which I am sure will always retain their weight and importance, in whatever form of language they are described.

Now, my lords, since I have been forced to enter into the explanation of an amendment, in which nothing less than the genius of penetration could have discovered an obscurity; and having, as I hope, redeemed myself in the opinion of the house; having redeemed my motion from the severe representation given of it by the noble lord, I must a little longer entreat your lordships' indulgence. The constitution of this country has been openly invaded in fact; and I have heard with horror and astonishment, that very invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, nor speak of without reverence; which no man may question, and to which all men must submit? My lords, I thought the slavish doctrine of passive obedience had long since been exploded: and, when our kings were obliged to confess that their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. My lords, I beg to be understood: no man respects the House of Commons more than I do, or would contend more strenuously than I would to preserve them their just and legal authority. Within the bounds prescribed by the constitution, that authority is necessary to the well-

being of the people ; beyond that line every exertion of power is arbitrary, is illegal ; it threatens tyranny to the people, and destruction to the state. Power, without right, is the most odious and detestable object that can be offered to the human imagination ; it is not only pernicious to those who are subject to it, but tends to its own destruction. It is what my noble friend (Lord Lyttleton) has truly described it, *res detestabilis et caduca*. My lords, I acknowledge the just power, and reverence the constitution of the House of Commons. It is for their own sakes that I would prevent their assuming a power which the constitution has denied them, lest, by grasping at an authority they have no right to, they should forfeit that which they legally possess. My lords, I affirm that they have betrayed their constituents, and violated the constitution. Under pretence of declaring the law, they have made a law, and united in the same persons the office of legislator and of judge. I shall endeavor to adhere strictly to the noble lord's doctrine, which it is indeed impossible to mistake, as far as my memory will permit me to preserve his expression. He seems fond of the word jurisdiction ; and I confess, with the force and effect which he has given it, it is a word of copious meaning and wonderful extent. If his lordship's doctrine be well founded, we must renounce all those political maxims by which our understandings have hitherto been directed ; and even the first elements of learning taught us when we were school-boys. My lords, we know that jurisdiction was nothing more than *Jus dicere* ; we know that *Legem facere* and *Legem dicere* were powers clearly distinguished from each other in the nature of things, and wisely separated by the wisdom of the English constitution : but now, it seems, we must adopt a new system of thinking. The House of Commons, we are told, have a supreme jurisdiction ; that there is no appeal from their sentence ; and that whenever they are competent judges, their decision must be received and submitted to, as, *ipso facto*, the law of the land. My lords, I am a plain man, and have been brought up in a religious reverence for the original simplicity of the laws of England. By what sophistry they have been perverted, by what artifices they have been involved in obscurity, is not for me to explain ; the principles, however, of the

English laws are still sufficiently clear ; they are founded in reason, and are the master-piece of the human understanding ; but it is in the text that I would look for a direction to my judgment, not in the commentaries of modern professors. The noble lord assures us, that he knows not in what code the law of parliament is to be found : that the House of Commons, when they act as judges, have no law to direct them but their own wisdom ; that their decision is law ; and if they determine wrong, the subject has no appeal out to heaven. What then, my lords, are all the generous efforts of our ancestors, are all those glorious contentions, by which they meant to secure to themselves, and to transmit to their posterity, a known law, a certain rule of living, reduced to this conclusion, that instead of the arbitrary power of a king, we must submit to the arbitrary power of a House of Commons ? If this be true, what benefit do we derive from the exchange ? Tyranny, my lords, is detestable in every shape ; but in none so formidable as where it is assumed and exercised by a number of tyrants. But, my lords, this is not the fact ; this is not the constitution : we have a law of parliament, we have a code in which every honest man may find it. We have *magna charta*, we have the statute-book, and the bill of rights.

If a case should arise unknown to these great authorities, we have still that plain English reason left, which is the foundation of all our English jurisprudence. That reason tells us, that every judicial court, every political society, must be vested with those powers and privileges which are necessary for performing the office to which they are appointed. It tells us also, that no court of justice can have a power inconsistent with, or paramount to the known laws of the land ; that the people, when they choose their representatives, never mean to convey to them a power of invading their rights, or trampling upon the liberties of those whom they represent. What security would they have for their rights, if once they admitted, that a court of judicature might determine every question that came before it, not by any known positive law, but by the vague, indeterminate, arbitrary rule, of what the noble lord is pleased to call 'the wisdom of the court ?' With respect to the decision of the courts of justice, I am far from de-

nying them their due weight and authority ; yet, placing them in the most respectable view, I still consider them, not as law, but as an evidence of the law ; and before they can arrive even at that degree of authority, it must appear, that they are founded in, and confirmed by reason ; that they are supported by precedents taken from good and moderate times ; that they do not contradict any positive law ; that they are submitted to without reluctance by the people ; that they are unquestioned by the legislature (which is equivalent to a tacit confirmation) ; and, which in my judgment is by far the most important, that they do not violate the spirit of the constitution. My lords, this is not a vague or loose expression ; we all know what the constitution is ; we all know, that the first principle of it is, that the subject shall not be governed by the *arbitrium* of any one man or body of men (less than the whole legislature), but by certain laws, to which he has virtually given his consent, which are open to him to examine, and not beyond his ability to understand. Now, my lords, I affirm, and am ready to maintain, that the late decision of the House of Commons upon the Middlesex election, is destitute of every one of those properties and conditions which I hold to be essential to the legality of such a decision. It is not founded in reason ; for it carries with it a contradiction, that the representative should perform the office of the constituent body. It is not supported by a single precedent ; for the case of Sir R. Walpole is but a half precedent, and even that half is imperfect. Incapacity was indeed declared ; but his crimes are stated as the ground of the resolution, and his opponent was declared not to be duly elected, even after his incapacity was established. It contradicts *magna charta*, and the bill of rights, by which it is provided, that no subject shall be deprived of his freehold, unless by the judgment of his peers, or the law of the land ; and that election of members to serve in parliament shall be free ; and so far is this decision from being submitted to by the people, that they have taken the strongest measures, and adopted the most positive language, to express their discontent.—Whether it will be questioned by the legislature, will depend upon your lordships' resolution ; but that it violates the spirit of the constitution, will, I think, be disputed by no man who has heard this

day's debate, and who wishes well to the freedom of his country ; yet, if we are to believe the noble lord, this great grievance, this manifest violation of the first principles of the constitution, will not admit of a remedy : is not even capable of redress, unless we appeal at once to heaven. My lords, I have better hopes of the constitution, and a firmer confidence in the wisdom and constitutional authority of this house. It is to your ancestors, my lords, it is to the English barons, that we are indebted for the laws and constitution we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners, but they had hearts to distinguish right from wrong ; they had heads to distinguish truth from falsehood ; they understood the rights of humanity, and they had spirit to maintain them.

My lords, I think that history has not done justice to their conduct ; when they obtained from their sovereign that great acknowledgment of national rights contained in *magna charta* ; they did not confine it to themselves alone, but delivered it as a common blessing to the whole people. They did not say, these are the rights of the great barons, or, these are the rights of the great prelates : no, my lords, they said in the simple Latin of the times, *nullus liber homo*, and provided as carefully for the meanest subject as for the greatest. These are uncouth words, and sound but poorly in the ears of scholars ; but they are dear to the hearts of free men. These three words, *nullus liber homo*, have a meaning which interests us all : they deserve to be remembered—they deserve to be inculcated in our minds—they are worth all the classics. Let us not, then, degenerate from the glorious example of our ancestors. Those iron barons (for so I may call them, when compared to the silken barons of modern days) were the guardians of the people ; yet their virtues, my lords, were never engaged in a question of such importance as the present. A breach has been made in the constitution—the battlements are dismantled—the citadel is opened to the first invader—the walls totter—the constitution is not tenable. What remains, then, but for us to stand foremost in the breach, to repair it, or perish in it ?

Great pains have been taken to alarm us with the dreadful con-

sequences of a difference between the two houses of parliament : that the House of Commons will resent our presuming to take notice of their proceedings : that they will resent our daring to advise the crown, and never forgive us for attempting to save the state. My lords, I am sensible of the importance and difficulty of this great crisis : at a moment such as this, we are called upon to do our duty, without dreading the resentment of any man. But if apprehensions of this kind are to affect us, let us consider which we ought to respect most—the representative, or the collective body of the people. My lords, five hundred gentlemen are not ten millions ; and if we must have a contention, let us take care to have the English nation on our side. If this question be given up, the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves ! My lords, this is not merely the cold opinion of my understanding, but the glowing expression of what I feel. It is my heart that speaks. I know I speak warmly, my lords, but this warmth shall neither betray my argument nor my temper. The kingdom is in a flame ; as mediators between the king and people, it is our duty to represent to him the true condition and temper of his subjects. It is a duty which no particular respects should hinder us from performing ; and whenever his majesty shall demand our advice, it will then be our duty to inquire more minutely into the causes of the present discontents. Whenever that inquiry shall come on, I pledge myself to the house to prove, that since the first institution of the House of Commons, not a single precedent can be produced to justify their late proceedings. My noble and learned friend (the Lord Chancellor) has also pledged himself to the house, that he will support that assertion.

My lords, the character and circumstances of Mr. Wilkes have been very improperly introduced into this question, not only here, but in that court of judicature where his cause was tried :—I mean the House of Commons. With one party he was a patriot of the first magnitude : with the other, the vilest incendiary. For my own part, I consider him merely and indifferently as an English subject, possessed of certain rights which the laws have given him,

and which the laws alone can take from him. I am neither moved by his private vices, nor by his public merits. In his person, though he were the worst of men, I contend for the safety and security of the best; and God forbid, my lords, that there should be a power in this country of measuring the civil rights of the subject by his moral character, or by any other rule but the fixed laws of the land. I believe, my lords, I shall not be suspected of any personal partiality to this unhappy man: I am not very conversant in pamphlets or newspapers; but from what I have heard, and from the little I have read, I may venture to affirm, that I have had my share in the compliments which have come from that quarter: and as for motives of ambition (for I must take to myself a part of the noble duke's insinuation), I believe, my lords, there have been times in which I have had the honor of standing in such favor in the closet, that there must have been something extravagantly unreasonable in my wishes, if they might not at all have been gratified. After neglecting those opportunities, I am now suspected of coming forward in the decline of life, in the anxious pursuit of wealth and power, which it is impossible for me to enjoy. Be it so: there is one ambition, at least, which I ever will acknowledge, which I will not renounce but with my life. It is the ambition of delivering to my posterity those rights of freedom which I have received from my ancestors. I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this house may constitutionally interpose in their defence, and what kind of redress this case will require and admit of, is not at present the subject of our consideration. The amendment, if agreed to, will naturally lead us to such an inquiry. That inquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead us, perhaps, to desire a conference with the other house; which one noble lord affirms, is the only parliamentary way of proceeding; and which another noble lord assures us the House of Commons would either not come to, or would break off with indignation: Leaving their lordships to reconcile that matter between themselves, I shall only say, that before we have inquired, we cannot be provided with

materials ; consequently, at present we are not prepared for a conference.

It is possible, my lords, that the inquiry I speak of may lead us to advise his majesty to dissolve the present parliament ; nor have I any doubt of our right to give that advice, if we should think it necessary. His majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the House of Commons in the exercise of a legislative power, which heretofore abolished the House of Lords, and overturned the monarchy. I willingly acquit the present House of Commons of having actually formed so detestable a design : but they cannot themselves foresee to what excesses they may be carried hereafter : and for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the minds of those who possess it ; and this I know, my lords, that where law ends, tyranny begins !

LORD CHATHAM ON THE STATE OF THE NATION—1770.

MY LORDS,—I shall give you my reasons for concurring with the motion, not methodically, but as they occur to my mind. I may wander, perhaps, from the exact parliamentary debate ; but I hope I shall say nothing but what may deserve your attention, and what if not strictly proper at present, would be fit to be said, when the state of the nation shall come to be considered. My uncertain state of health must plead my excuse. I am now in some pain, and very probably may not be able to attend my duty when I desire it most, in this house. I thank God, my lords, for having thus long preserved so inconsiderable a being as I am, to take a part upon this great occasion, and to contribute my endeavors, such as they are, to restore, to save, to confirm the constitution. My lords, I need not look abroad for grievances. The grand capital mischief is fixed at home. It corrupts the very foundation of our political existence, and preys upon the vitals of the state. The constitution has been grossly violated. The constitution at

this moment stands violated. Until that wound be healed, until the grievance be redressed, it is in vain to recommend union to parliament—in vain to promote concord among the people. If we mean seriously to unite the nation within itself, we must convince them that their complaints are regarded, and that their inquiries shall be answered. On that foundation, I would take the lead in recommending peace and harmony to the people: on any other, I would never wish to see them united again. If the breach in the constitution be effectually repaired, the people will of themselves return to a state of tranquillity: if not, may discord prevail forever! I know to what point this doctrine and this language will appear directed. But I feel the principles of an Englishman, and I utter them without apprehension or reserve. The crisis is indeed alarming: so much the more does it require a prudent relaxation on the part of government. If the king's servants will not permit a constitutional question to be decided on according to the forms and on the principles of the constitution, it must then be decided in some other manner: and rather than it should be given up, rather than the nation should surrender their birthright to a despotic minister, I hope, my lords, old as I am, I shall see the question brought to issue, and fairly tried between the people and government. My lords, this is not the language of faction. Let it be tried by that criterion by which alone we can distinguish what is factious from what is not—by the principles of the English constitution. I have been bred up in these principles, and know that when the liberty of the subject is invaded, and all redress denied him, resistance is justified. If I had a doubt upon the matter, I should follow the example set us by the most reverend bench; with whom I believe it is a maxim, when any doubt in point of faith arises, or any question of controversy is started, to appeal at once to the greatest source and evidence of our religion—I mean the Holy Bible. The constitution has its political bible, by which, if it be fairly consulted, every political question may, and ought to be determined. *Magna charta*, the petition of rights, and the bill of rights, form that code which I call the bible of the English constitution. Had some of his majesty's unhappy predecessors trusted less to the comments

of their ministers, had they been better read in the text itself the glorious revolution would have remained only possible in theory, and would not now have existed upon record—a formidable example to their successors.

My lords, the condition of his majesty's affairs in Ireland, and the state of that kingdom within itself, will undoubtedly make a very material part of your lordship's inquiry. I am not sufficiently informed to enter into the subject so fully as I could wish, but from what appears to the public and my own observation, I confess I cannot give the ministry much credit for the spirit of prudence of their conduct. I see that where their measures are well chosen, they are incapable of carrying them through without some unhappy mixture of weakness or imprudence. They are incapable of doing entirely right. My lords, I do from my conscience, and from the best weighed principles of my understanding, applaud the augmentation of the army. As a military plan, I believe it has been judiciously arranged. In a political view, I am convinced it was for the welfare, for the safety of the whole empire. But, my lords, with all these advantages, with all these recommendations, if I had the honor of advising his majesty, I would never have consented to his accepting the augmentation with that absurd, dishonorable condition which the ministry have submitted to annex to it. My lords, I revere that just prerogative of the crown, and would contend for it as warmly as for the rights of the people. They are linked together, and naturally support each other. I would not touch a feather of the prerogative. The expression perhaps is too light; but since I have made use of it, let me add, that the entire command and power of directing the local disposition of the army, is to the royal prerogative as the master feather in the eagle's wing: and if I were permitted to carry the allusion a little farther, I would say, they have disarmed the imperial bird, the "*ministrum fulminis alitem*." The army is the thunder of the crown. The ministry have tied up the hand which should direct the bolt.

My lords, I remember that Minorca was lost for want of four battalions: they could not be spared from hence, and there was a delicacy about taking them from Ireland. I was one of those who

promoted an inquiry into that matter in the other house; and I was convinced that we had not regular troops sufficient for the necessary service of the nation. Since the moment the plan of augmentation was first talked of, I have constantly and warmly supported it among my friends; I have recommended it to several members of the Irish house of commons, and exhorted them to support it with their utmost interest in parliament. I did not foresee, nor could I conceive it possible, the ministry would accept of it, with a condition that makes the plan itself ineffectual, and, as far as it operates, defeats every useful purpose of maintaining a standing military force. His majesty is now so confined with his promise, that he must leave twelve thousand men locked up in Ireland, let the situation of his affairs abroad, or the approach of danger to this country, be ever so alarming, unless there be an actual rebellion or invasion in Great Britain. Even in the two cases excepted by the king's promise, the mischief must have already begun to operate, must have already taken effect, before his majesty can be authorized to send for the assistance of his Irish army. He has not left himself the power of taking any preventive measures; let his intelligence be ever so certain, let his apprehensions of invasion or rebellion be ever so well founded; unless the traitor be actually in arms, unless the enemy be in the heart of your country, he cannot move a single man from Ireland.

I feel myself compelled, my lords, to return to that subject which occupies and interests me most—I mean the internal disorder of the constitution, and the remedy it demands. But first, I would observe, there is one point upon which I think the noble duke has not explained himself. I do not mean to catch at words, but if possible to possess the sense of what I hear. I would treat every man with candor, and should expect the same candor in return. For the noble duke, in particular, I have every personal respect and regard. I never desire to understand him but as he wishes to be understood. His grace, I think, has laid much stress upon the diligence of the several public offices, and the assistance given them by the administration, in preparing a state of the expenses of his majesty's civil government, for the information of parliament, and for the satisfaction of the public. He has given

as a number of plausible reasons for their not having yet been able to finish the account ; but as far as I am able to recollect, he has not yet given us the smallest reason to hope that it ever will be finished, or that it ever will be laid before parliament.

My lords, I am not unpractised in business ; and if with all that apparent diligence, and all that assistance which the noble duke speaks of, the accounts in question have not yet been made up, I am convinced there must be a defect in some of the public offices, which ought strictly to be inquired into, and severely punished. But, my lords, the waste of the public money, is not of itself so important as the pernicious purpose to which we have reason to suspect that money has been applied. For some years past, there has been an influx of wealth into this country, which has been attended with many fatal consequences ; because it has not been the regular, natural produce of labor and industry. The riches of Asia have been poured in upon us, and have brought with them not only Asiatic luxury, but I fear Asiatic principles of government. Without connections, without any natural interest in the soil, the importers of foreign gold have forced their way into parliament, by such a torrent of private corruption as no private hereditary fortune could resist. My lords, I say nothing but what is within the knowledge of us all. The corruption of the people is the great original cause of the discontents of the people themselves, of the enterprises of the crown, and the notorious decay of the internal vigor of the constitution. For this great evil some immediate remedy must be provided : and I confess, my lords, I did hope that his majesty's servants would not have suffered so many years of peace to elapse without paying some attention to an object which ought to engage and interest us all. I flattered myself I should see some barriers thrown up in defence of the constitution, some impediment formed to stop the rapid progress of corruption. I doubt not we all agree that something must be done. I shall offer my own thoughts, such as they are, to the consideration of the house ; and I wish that every noble lord who hears me would be as ready as I am to contribute his opinion to this important service. I will not call my own sentiments crude and indigested : it would be unfit for me to offer anything to your

lordships which I had not well considered ; and this subject, I own, has long occupied my thoughts. I will now give them to your lordships without reserve. Whoever understands the theory of the English constitution, and will compare it with the fact, must see at once how widely they differ. We must reconcile them to each other, if we wish to save the liberties of this country. We must reduce our political practice as nearly as possible to our political principles. The constitution intended that there should be a permanent relation between the constituent and representative body of the people. Will any man affirm that as the House of Commons is now formed, that relation is in any degree preserved ? My lords, it is not preserved : it is destroyed. Let us be cautious, however, how we have recourse to violent expedients.

The boroughs of this country have properly enough been called the rotten parts of the constitution. I have lived in Cornwall, and without entering into any invidious particularity, have seen enough to justify the appellation. But in my judgment, my lords, these boroughs, corrupt as they are, must be considered as the natural infirmity of the constitution. Like the infirmities of the body, we must bear them in patience, and submit to carry them about with us. The limb is mortified, but the amputation might be death.

Let us try, my lords, whether some gentle remedies may not be discovered. Since we cannot cure the disorder, let us endeavor to infuse such a portion of new health into the constitution as may enable it to support its most inveterate diseases.

The representation of the counties is, I think, still preserved pure and uncorrupted. That of the great cities is upon a footing equally respectable ; and there are many of the larger trading towns, which still preserve their independence. The infusion of health which I now allude to, would be to permit every county to elect one member more in addition to their present representation. The knights of the shires approach nearest to the constitutional representation of the country, because they represent the soil. It is not the little dependent boroughs, it is in the great cities and counties that the strength and vigor of the constitution resides, and by them alone, if an unhappy question should ever arise, will the constitution be honestly and firmly defended. I

would increase that strength, because I think it is the only security we have against the profligacy of the times, the corruption of the people, and the ambition of the crown.

I think I have weighed every possible objection that can be raised against a plan of this nature ; and I confess I see but one which to me carries any appearance of solidity. It may be said, perhaps, that when the act passed for uniting the two kingdoms, the number of persons who were to represent the whole nation in parliament was proportioned and fixed on forever—that the limitation is a fundamental article, and cannot be altered without hazarding a dissolution of the union.

My lords, no man who hears me can have a greater reverence for that wise and important act than I have. I revere the memory of that great prince who first formed the plan, and of those illustrious patriots who carried it into execution. As a contract, every article of it should be inviolable. As the common basis of the strength and happiness of two nations, every article of it should be sacred. I hope I cannot be suspected of conceiving a thought so detestable, as to propose an advantage to one of the contracting parties, at the expense of the other. No, my lords, I mean that the benefit should be universal, and the consent to receive it unanimous. Nothing less than a most urgent and important occasion should persuade me to vary even from the letter of the act ; but there is no occasion, however urgent, however important, that should ever induce me to depart from the spirit of it. Let that spirit be religiously preserved. Let us follow the principle upon which the representation of the two countries was proportioned at the union ; and when we increase the number of representatives for the English counties, let the shires of Scotland be allowed an equal privilege. On these terms, and while the proportion limited by the union is preserved between the two nations, I apprehend that no man, who is a friend to either, will object to an alteration, so necessary for the security of both. I do not speak of the authority of the legislature to carry such a measure into effect, because I imagine no man will dispute it. But I would not wish the legislature to interpose by an exertion of its power alone, without the cheerful concurrence of all parties. My

object is the happiness and security of the two nations, and I would not wish to obtain it without their mutual consent.

My lords, besides my warm approbation of the motion made by the noble lord, I have a particular and personal pleasure in rising up to second it. I consider my seconding his lordship's motion, and I would wish it to be considered by others, as a public demonstration of that cordial union which I am happy to affirm subsists between us—of my attachment to those principles which he has so well defended, and of my respect for his person. There has been a time, my lords, when those who wished well to neither of us, who wished to see us separated forever, found a sufficient gratification for their malignity against us both. But that time is happily at an end. The friends of this country will, I doubt not, hear with pleasure, that the noble lord and his friends are now united with me and mine, upon a principle which I trust will make our union indissoluble. It is not to possess, or divide, the emoluments of government; but, if possible, to save the state. Upon this ground we met—upon this ground we stand, firm and inseparable. No ministerial artifices, no private offers, no secret seduction, can divide us. United as we are, we can set the profoundest policy of the present ministry, their grand, their only *arcana* of government, their *divide et impera*, at defiance.

I hope an early day will be agreed to, for considering the state of the nation. My infirmities must fall heavily upon me, indeed, if I do not attend my duties that day. When I consider my age and unhappy state of health, I feel how little I am personally interested in the event of any political question. But I look forward to others, and am determined as far as my poor ability extends, to convey to those who come after me, the blessings which I cannot long hope to enjoy myself.

LORD MANSFIELD ON THE DELAYS OF JUSTICE.

MY LORDS,—When I consider the importance of this bill to your lordships, I am not surprised it has taken up so much of your

consideration. It is a bill, indeed, of no common magnitude ; it is no less than to take away from two thirds of the legislative body of this great kingdom, certain privileges and immunities of which they have been long possessed. Perhaps there is no situation the human mind can be placed in, that is so difficult and so trying, as when it is made a judge in its own cause. There is something implanted in the breast of man so attached to self, so tenacious of privileges once obtained, that, in such a situation either to discuss with impartiality, or decide with justice, has ever been held the summit of all human virtue. The bill now in question puts your lordships in this very predicament ; and I doubt not but the wisdom of your decision will convince the world, that where self-interest and justice are in opposite scales, the latter will ever preponderate with your lordships.

Privileges have been granted to legislators in all ages, and in all countries. The practice is founded in wisdom ; and, indeed, it is peculiarly essential to the constitution of this country, that the members of both houses should be free in their persons, in cases of civil suits : for there may come a time when the safety and welfare of this whole empire may depend upon their attendance in parliament. I am far from advising any measure that would in future endanger the state ; but the bill before your lordships has, I am confident, no such tendency ; for it expressly secures the persons of members of either house in all civil suits. This being the case, I confess, when I see many noble lords, for whose judgment I have a very great respect, standing up to oppose a bill which is calculated merely to facilitate the recovery of just and legal debts, I am astonished and amazed. They, I doubt not, oppose the bill upon public principles : I would not wish to insinuate, that private interest had the least weight in their determination.

The bill has been frequently proposed, and as frequently has miscarried : but it was always lost in the lower house. Little did I think, when it had passed the commons, that it possibly could have met with such opposition here. Shall it be said, that you, my lords, the grand council of the nation, the highest judicial and legislative body of the realm, endeavor to evade, by privilege, those very laws which you enforce on your fellow-subjects ? For-

bid it, Justice !—I am sure, were the noble lords as well acquainted as I am, with but half the difficulties and delays occasioned in the courts of justice, under pretence of privilege, they would not, nay they could not, oppose this bill.

I have waited with patience to hear what arguments might be urged against the bill ; but I have waited in vain : the truth is, there is no argument that can weigh against it. The justice and expediency of the bill are such as render it self-evident. It is a proposition of that nature, that can neither be weakened by argument, nor entangled with sophistry. Much, indeed, has been said by some noble lords, on the wisdom of our ancestors, and how differently they thought from us. They not only decreed, that privilege should prevent all civil suits from proceeding during the sitting of parliament, but likewise granted protection to the very servants of members. I shall say nothing on the wisdom of our ancestors ; it might perhaps appear invidious ; that is not necessary in the present case. I shall only say, that the noble lords who flatter themselves with the weight of that reflection, should remember, that as circumstances alter, things themselves should alter. Formerly, it was not so fashionable either for masters or servants to run in debt, as it is at present. Formerly, we were not that great commercial nation we are at present ; nor formerly were merchants and manufacturers members of parliament, as at present. The case is now very different : both merchants and manufacturers are, with great propriety, elected members of the lower house. Commerce having thus got into the legislative body of the kingdom, privilege must be done away. We all know, that the very soul and essence of trade are regular payments : and sad experience teaches us, that there are men, who will not make their regular payments without the compulsive power of the laws. The law then ought to be equally open to all. Any exemption to particular men, or particular ranks of men, is, in a free and commercial country, a solecism of the grossest nature.

But I will not trouble your lordships with arguments for that which is sufficiently evident without any. I shall only say a few words to some noble lords, who foresee much inconvenience, from the persons of their servants being liable to be arrested. One

noble lord observes, That the coachman of a peer may be arrested, while he is driving his master to the house, and that, consequently, he will not be able to attend his duty in parliament. If this were actually to happen, there are so many methods by which the member might still get to the house, that I can hardly think the noble lord is serious in his objection. Another noble peer said, That, by this bill, one might lose his most valuable and honest servants. This I hold to be a contradiction in terms: for he can neither be a valuable servant, nor an honest man, who gets into debt which he is neither able nor willing to pay, till compelled by the law. If my servant, by unforeseen accidents, has got into debt, and I still wish to retain him, I certainly would pay the demand. But upon no principle of liberal legislation whatever, can my servant have a title to set his creditors at defiance, while for forty shillings only, the honest tradesman may be torn from his family, and locked up in a jail. It is monstrous injustice! I flatter myself, however, the determination of this day will entirely put an end to all such partial proceedings for the future, by passing into a law the bill now under your lordships' consideration.

I come now to speak upon what, indeed, I would have gladly avoided, had I not been particularly pointed at, for the part I have taken in this bill. It has been said by a noble lord on my left hand, that I likewise am running the race of popularity. If the noble lord means by popularity, that applause bestowed by after-ages on good and virtuous actions, I have long been struggling in that race: to what purpose, all-trying Time can alone determine. But if the noble lord means that mushroom popularity, which is raised without merit, and lost without a crime, he is much mistaken in his opinion. I defy the noble lord to point out a single action in my life in which the popularity of the times ever had the smallest influence on my determinations. I thank God I have a more permanent and steady rule for my conduct,—the dictates of my own breast. They who have foregone that pleasing adviser, and given up their mind to be the slave of every popular impulse, I sincerely pity. I pity them still more, if their vanity leads them to mistake the shouts of a mob for the trumpet of fame. Experience might inform them, that many, who have been

saluted with the huzzas of a crowd one day, have received their execrations the next; and many, who, by the popularity of their times, have been held up as spotless patriots, have, nevertheless, appeared upon the historian's page, when truth has triumphed over delusion, the assassins of liberty. Why then the noble lord can think I am ambitious of present popularity, that echo of folly and shadow of renown, I am at a loss to determine. Besides, I do not know that the bill now before your lordships will be popular; it depends much upon the caprice of the day. It may not be popular to compel people to pay their debts; and, in that case, the present must be a very unpopular bill. It may not be popular neither to take away any of the privileges of parliament: for I very well remember, and many of your lordships may remember, that, not long ago, the popular cry was for the extension of privilege; and so far did they carry it at that time, that it was said, the privilege protected members even in criminal actions; nay, such was the power of popular prejudices over weak minds, that the very decisions of some of the courts were tinged with that doctrine. It was undoubtedly an abominable doctrine; I thought so then, and I think so still; but nevertheless, it was a popular doctrine, and came immediately from those who were called the friends of liberty, how deservedly, time will show. True liberty, in my opinion, can only exist when justice is equally administered to all; to the king and to the beggar. Where is the justice, then, or where is the law that protects a member of parliament more than any other man, from the punishment due to his crimes? The laws of this country allow of no place, nor any employment, to be a sanctuary for crimes; and where I have the honor to sit as judge, neither royal favor, nor popular applause, shall ever protect the guilty.

I have now only to beg pardon for having employed so much of your lordships' time; and I am sorry a bill, fraught with so many good consequences, has not met with an abler advocate; but I doubt not your lordships' determination will convince the world, that a bill, calculated to contribute so much to the equal distribution of justice as the present, requires with your lordships but very little support.

SIR WILLIAM MEREDITH ON FREQUENT EXECUTIONS.

WHETHER hanging ever did, or can, answer any good purpose, I doubt: but the cruel exhibition of every execution day, is a proof that hanging carries no terror with it. And I am confident, that every new sanguinary law operates as an encouragement to commit capital offences; for it is not the mode, but the certainty of punishment, that creates terror. What men know they must endure, they fear; what they think they can escape, they despise. The multiplicity of our hanging laws has produced these two things; frequency of condemnation, and frequent pardons. As hope is the first and greatest spring of action, if it was so, that out of twenty convicts one only was to be pardoned, the thief would say, "Why may I not be that one?" But since, as our laws are actually administered, not one in twenty is executed, the thief acts on the chance of twenty to one in his favor; he acts on a fair and reasonable presumption of indemnity; and I verily believe, that the confident hope of indemnity is the cause of nineteen in twenty robberies that are committed.

But if we look to the executions themselves, what example do they give? The thief dies either hardened or penitent. We are not to consider such reflections as occur to reasonable and good men, but such impressions as are made on the thoughtless, the desperate and the wicked. These men look on the hardened villain with envy and admiration. All that animation and contempt of death with which heroes and martyrs inspire good men in a good cause, the abandoned villain feels in seeing a desperado like himself meet death with intrepidity. The penitent thief, on the other hand, often makes the sober villain think in this way: himself oppressed with poverty and want, he sees a man die with that penitence which promises pardon for his sins here, and happiness hereafter; straight he thinks that by robbery, forgery, or murder, he can relieve all his wants; and if he be brought to justice, the punishment will be short and trifling, and the reward eternal.

Even in crimes which are seldom or never pardoned, death is no revention. House-breakers, forgers, and coiners, are sure to

be hanged : yet house-breaking, forgery, and coining, are the very crimes which are the oftenest committed. Strange it is, that in the case of blood, of which we ought to be most tender, we should still go on, against reason and against experience, to make unavailing slaughter of our fellow-creatures. A recent event has proved that policy will do what blood cannot do. I mean the late regulation of the coinage. Thirty years together men were continually hanged for coining ; still it went on : but on the new regulation of the gold coin, ceased. This event proves these two things : the efficacy of police, and the inefficacy of hanging. But, is it not very extraordinary, that since the regulation of the gold coin, an act has passed, making it treason to coin silver ? But has it stopped the coining of silver ? On the contrary, do you not hear of it more than ever ? It seems as if the law and the crime bore the same date. I do not know what the honorable member thinks who brought in the bill ; but perhaps some feelings may come across his own mind, when he sees how many lives he is taking away for no purpose. Had it been fairly stated, and specifically pointed out, what the mischief of coining silver in the utmost extent, is, that hanging bill might not have been so readily adopted : under the name of treason it found an easy passage. I indeed have always understood treason to be nothing less than some act of conspiracy against the life or honor of the king, and the safety of the state : but what the king or state can suffer by my taking now and then a bad sixpence or a bad shilling, I cannot imagine.

By this nickname of treason, however, there lies at this moment in Newgate, under sentence to be burnt alive, a girl just turned of fourteen ; at her master's bidding, she hid some white-washed farthings behind her stays, on which the jury found her guilty as an accomplice with her master in the treason. The master was hanged last Wednesday ; and the fagots all lay ready—no reprieve came till just as the cart was setting out, and the girl would have been burnt alive on the same day, had it not been for the humane but casual interference of Lord Weymouth. Good God ! sir, are we taught to execrate the fires of Smithfield, and are we lighting them now to burn a poor harmless child for hiding

a white-washed farthing? And yet, this barbarous sentence, which ought to make men shudder at the thought of shedding blood for such trivial causes, is brought as a reason for more hanging and burning. It was recommended to me not many days ago, to bring in a bill to make it treason to coin copper, as well as gold and silver. Yet, in the formation of these sanguinary laws, humanity, religion, and policy are thrown out of the question. This one wise argument is always sufficient; if you hang for one fault, why not for another? If for stealing a sheep, why not a cow or a horse? if for a shilling, why not for a handkerchief that is worth eighteen-pence?—and so on. We therefore ought to oppose the increase of those new laws: the more, because every fresh one begets twenty others.

When a member of parliament brings in a new hanging law, he begins with mentioning some injury that may be done to private property, for which a man is not yet liable to be hanged; and then proposes the gallows as the specific and infallible means of cure and prevention. But the bill, in progress of time, makes crimes capital, that scarce deserve whipping. For instance, the shop-lifting act was to prevent bankers' and silver-smiths', and other shops, where there are commonly goods of great value, from being robbed; but it goes so far as to make it death to lift anything off a counter with intent to steal.

Under this act, one Mary Jones was executed, whose case I shall just mention: it was at the time when press warrants were issued on the alarm about Falkland Islands. The woman's husband was pressed, their goods seized for some debts of his, and she with two small children, turned into the streets a-begging. 'Tis a circumstance not to be forgotten, that she was very young (under nineteen), and most remarkably handsome. She went to a linen-draper's shop, took some coarse linen off the counter, and slipped it under her cloak; the shopman saw her, and she laid it down: for this she was hanged. Her defence was (I have the trial in my pocket) "that she had lived in credit and wanted for nothing, till a press-gang came and stole her husband from her; but, since then she had no bed to lie on; nothing to give her children to eat; and they were almost naked: and perhaps she

might have done something wrong; for she hardly knew what she did." The parish officers testified to the truth of this story; but it seems there had been a good deal of shop-lifting about Ludgate; an example was thought necessary; and this woman was hanged for the comfort and satisfaction of some shop-keepers in Ludgate-street. When brought to receive sentence she behaved in such a frantic manner, as proved her mind to be in a distracted and desponding state; and the child was sucking at her breast when she set out for Tyburn.

Let us reflect a little on this woman's fate. The poet says, "an honest man's the noblest work of God." He might have said with equal truth, that a beauteous woman's the noblest work of God.

But for what cause was God's creation robbed of this its noblest work? It was for no injury; but for a mere attempt to clothe the two naked children by unlawful means. Compare this with what the state did, and with what the law did. The state bereaved the woman of her husband, and the children of a father, who was all their support, the law deprived the woman of her life, and the children of their remaining parent, exposing them to every danger, insult, and merciless treatment, that destitute and helpless orphans suffer. Take all the circumstances together, I do not believe that a fouler murder was ever committed against law, than the murder of this woman by law. Some who hear me, are perhaps blaming the judges, the jury, and the hangman; but neither judge, jury, nor hangman are to blame, they are but ministerial agents; the true hangman is the member of parliament: he who frames the bloody law is answerable for all the blood that is shed under it. But there is a farther consideration still. Dying as these unhappy wretches often do, who knows what their future lot may be! Perhaps, my honorable friend who moves this bill, has not yet considered himself in the light of an executioner; no man has more humanity, no man a stronger sense of religion than himself; and I verily believe, that at this moment he wishes as little success to his hanging law, as I do. His nature must recoil at making himself the cause not only of shedding the blood, but perhaps of destroying the soul of his fellow-creatures.

But the wretches who die are not the only sufferers ; there are more and greater objects of compassion still ;—I mean the surviving relations and friends. Who knows how many innocent children we may be dooming to ignorance and wretchedness ? Who knows how many widows' hearts we may break with grief, how many gray hairs of parents we may bring with sorrow to the grave ?

The Mosaic law ordained, that for a sheep or an ox, four and five fold should be restored ; and for robbing a house, double ; that is, one fold for reparation, the rest for example ; and the forfeiture was greater, as the property was more exposed. If the thief came by night, it was lawful to kill him : but if he came by day, he was only to make restitution ; and if he had nothing, he was to be sold for his theft. This is all that God required in felonies, nor can I find in history any sample of such laws as ours, except a code that was framed at Athens by Draco. He made every offence capital, upon this modern way of reasoning : "That petty crimes deserved death, and he knew nothing worse for the greatest." His laws, it was said, were written, not with ink, but with blood ; but they were of short duration, being all repealed by Solon, except one, for murder.

An attempt was made some years ago by my honorable friend, Sir Charles Bunbury, to repeal some of the most absurd and cruel of our capital laws. The bill passed this house, but was rejected by the lords, for this reason : "It was an innovation (they said) and subversion of law." The very reverse is truth. These hanging laws are themselves innovations. No less than three-and-thirty of them passed during the last reign. I believe, I myself was the first person who checked the progress of them. When the great Alfred came to the throne, he found the kingdom overrun with robbers ; but the silly expedient of hanging never came into his head : he instituted a police, which was to make every township answerable for the felonies committed in it. Thus property became the guardian of property ; and all robbery was so effectually stopped, that (the historians tell us) in a very short time a man might travel through the kingdom, unarmed, with his purse in his hand.

Treason, murder, rape, and burning a dwelling-house, were all the crimes that were liable to be punished with death by our good old common law. And such was the tenderness, such the reluctance to shed blood, that if recompense could possibly be made, life was not to be touched. Treason being against the king, the remission of that crime was in the crown. In case of murder itself, if compensation could be made, the next of kin might discharge the prosecution, which, if once discharged, could never be revived. If a ravisher could make the injured woman satisfaction, the law had no power over him; she might marry the man under the gallows, if she pleased, and take him from the jaws of death to the lips of matrimony. But so fatally are we deviated from the benignity of our ancient laws, that there is now under sentence of death an unfortunate clergyman, who made satisfaction for the injury attempted: the satisfaction was accepted; and yet the acceptance of the satisfaction, and the prosecution bear the same date.

There does not occur to my thoughts a proposition more abhorrent from nature, and from reason, than that in a matter of property, when restitution is made, blood should still be required.

Having said so much on the general principles of our criminal laws, I have only a short word or two to add, on the two propositions now before us; one, to hang persons that wilfully set fire to ships; the other, to compel such offenders to work seven years on the Thames.

The question arises from the alarming events of the late fires at Portsmouth and Bristol; for which the incendiary is put to death. But, will an act of parliament prevent such men as John the Painter from coming into the world, or control them when they are in it? You might as well bring in a bill to prevent the appearance, or regulate the motions, of a comet. John the Painter was so far from fearing death, that he courted it; was so far from concealing his act, that he told full as much as was true, to his own conviction. When once a villain turns enthusiast, he is above all law. Punishment is his reward, and death his glory. But, though the law will be useless against villains, it is dangerous, and may be fatal to many an innocent person. There is not an

honest, industrious carpenter or sailor, who may not be endangered in the course of his daily labor : they are constantly using fire and combustible matter about shipping, tarring and pitching, and caulking : accidents are continually happening ; and who knows how many of these accidents may be attributed to design ? Indeed, the act says, the firing must be done *wilfully and maliciously* ; but judges and juries do not always distinguish right between the fact and the intention. It is the province of a jury only to try the fact by the intention ; but they are too apt to judge of the intention by the fact. Justices of peace, however, are not famed for accurate and nice distinctions ; and all the horrors of an ignominious death would be too much to threaten every honest shipwright with, for what may happen in the necessary work of his calling.

But, as I think punishment necessary for so heinous an offence, and, as the end of all punishment is example : of the two modes of punishment, I shall prefer that which is most profitable in point of example. Allowing then the punishment of death its utmost force, it is only short and momentary ; that of labor, permanent ; and to much example is gained in him who is reserved for labor, more than in him who is put to death, as there are hours in the life of the one, beyond the short moment of the other's death.

WILLIAM PITT ON ECONOMICAL REFORM.

MR. PITT said, that he gave the most hearty consent to what had fallen from his honorable friend on the other side of the house—that a proposition for the retrenchment of the civil list revenue ought to have come from his majesty's ministers. He gave his entire approbation to this sentiment. It would have come with more grace ; it would have come with more benefit to the public service, if it had sprung from the royal breast. His majesty's ministers ought to have come forward and proposed a reduction in the civil list, to give the people the consolation of knowing that their sovereign participated in the sufferings of the empire, and

presented an honorable example of retrenchment in an hour of general difficulty. They ought to have consulted the glory of their royal master, and have seated him in the hearts of the people, by abating from magnificence what was due to necessity. Instead of waiting for the slow request of a burthened people, they should have courted popularity by a voluntary surrender of useless revenue. Far more agreeable would it have been to that house, to accede than to propose : much more gracious to have observed the free exercise of royal bounty than to make the appeal, and point out what was right, what was necessary. But if ministers failed to do this ; if they interfered between the benignity of the sovereign and the distresses of his people, and stopped the tide of royal sympathy, was that a reason why the House of Commons, his majesty's public counsellors, should desist from a measure so congenial to the paternal feelings of the sovereign, so applicable to the wants and miseries of the people ? The natural beneficence of the royal heart would be gratified by the seasonable remittance. And surely it was no reason, because ministers failed to do their duty, that the house should cease to attend to theirs. Acting as the faithful representatives of the people, who had trusted them, they ought to seize on every object of equitable resource that presented itself ; and surely none were so fair, so probable, or so flattering as retrenchment and economy. The obligations of their character demanded from them not to hesitate in pursuing those objects, even to the foot of the throne ; and actuated by duty, to advise the crown to part with useless ostentation, that he might preserve necessary power ; to abate a little of pomp, that he might ascertain respect ; to diminish a little of exterior grandeur, that he might increase and secure authentic dignity. Such advice would become them, as the counsellors of his majesty, and as the representatives of the people ; for it was their immediate duty, as the commons house of Parliament, to guard the lives, the liberties, and the properties of the people. The last obligation was the strongest, it was more immediately incumbent upon them to guard the properties, because they were more liable to invasion by the secret and subtle attacks of influence, than either their lives or liberties. It would not derogate from the real glory of the crown to accept

of the advice. It would be no diminution of true grandeur to yield to the respectful petitions of the people. The tutelage of that house might be a hard term : but the guardianship of that house could not be disgraceful to a constitutional king. The abridgment of useless and unnecessary expense could be no abatement of royalty. Magnificence and grandeur were not inconsistent with retrenchment and economy, but, on the contrary, in a time of necessity and of common exertion, solid grandeur was dependent on the reduction of expense : And it was the general sentiment and observation of the house, that economy was at this time essentially necessary to national salvation. This had been the language of the noble lord (Lord Nugent) on the other side of the house, and he had declared that if the bill then before the house had provided that all the moneys to be derived from the reductions proposed were to be applied to the public service, he would have given his hearty concurrence in it, and would have become one of its warmest advocates. Here then he begged leave to join issue with the noble lord. He had said that the savings were to be appropriated towards a fund for creating a provision for the royal family ; and this clause he had found in the bill before them. He begged to inform the noble lord, that there was a clause in this bill which expressly stated that the moneys arising from the reductions proposed should be directly applied to the public service. The only merit that he could claim in a competition with the noble lord was, that his eyes were somewhat younger than his, and he would read the clause to which he alluded. He here read the clause alluded to.

This was the clearest refutation of the noble lord's assertions, but his error seemed to have arisen from his having taken notice of another clause in the act, which ordains, that the moneys appropriated to the payment of annuities to be granted to those persons whose places were to be abolished, should be placed in a fund as they should arise by the death of the annuitants, to create a provision for the royal family. This was the error of the noble lord : he had mistaken this provision for all the savings of the plan : unless indeed he imagined that to place money in the sinking fund subject to the disposal of Parliament, was not to apply it to the pub-

lic service. He might consider the blind profusion of the minister as the public service; and unless it had been left to him to be mismanaged and squandered in his usual way, it was not applying it, in his opinion, to the public service. He trusted the house would excuse him for having wantoned with their patience on this point: and he, for his own part, should think his time and labor very well repaid, if thereby he had been fortunate enough to gain over so powerful an assistant and friend as the noble lord, to the principle of the bill. It had been said by an honorable gentleman, who spoke early in the debate, that the bill connected two objects that ought to have been kept separate. His honorable friend (Mr. John Townshend) near him had shown, that these objects ought to go hand in hand together, and had very properly contended that this was the fit moment for introducing reform and economy. He should add, that the bill had a third object, much more important than either of these, and that was the reduction of the influence of the crown: that influence which the last Parliament, by an express resolution, had declared to be increasing, and that it ought to be diminished: an influence which was more to be dreaded, because more secret in its attacks, and more concealed in its operations, than the power of prerogative. All these objects were not only compatible with each other, but they had a mutual connection, and ought not to be divided in a measure of reformation. In all the arguments of the noble lord who spoke last, on the subject of the resolutions of the 6th of April, he observed the noble lord's objections were directed solely to the second of these resolutions: he took it for granted therefore, that the noble lord admitted the first. That resolution pledged the house to do something effectual in compliance with the petitions of the people. Why then should the house refuse to adopt the present bill, the operation of which in diminishing the influence of the crown, rendered it in his opinion much more valuable than the mere consideration of the saving it would effect? But it had been said, that the saving was immaterial; it was a matter of trifling consideration, when measured by the necessities or expenses at the time. It proposes to bring no more than £200,000 a year into the public coffers; and that sum was insignificant in the public

account, when compared with the millions which we spend. This was surely the most singular and unaccountable species of reasoning that was ever attempted in any assembly. The calamities of the crisis were too great to be benefited by economy. Our expenses were so enormous, that it was ridiculous to attend to little matters of account. We have spent so many millions, that thousands are beneath our consideration. We were obliged to spend so much that it was foolish to think of saving any. This was the language of the day, and it was by such reasoning that the principle of the bill had been disputed. Much argument had been brought to prove the impropriety and the injustice of resuming a parliamentary grant; and it had been even said, that they had not a right to do so. It would be needless to attempt an answer to such a doctrine. It contained its refutation in its weakness. But it ought to be remembered, that the civil list revenue was granted by parliament to his majesty for other purposes than those of personal gratification. It was granted to support the power and the interests of the empire, to maintain its grandeur, to pay the judges and the foreign ministers, to maintain justice and support respect; to pay the great officers that were necessary to the lustre of the crown; and it was proportioned to the dignity and opulence of the people. It would be an ungracious task to investigate the great difference that there was between the wealth of the empire when that revenue was granted, and the wealth at the present time. It would serve, however, to show, that the sum of revenue, which was necessary to the support of the common dignity of the crown and people at that time, ought now to be abated, as the necessities had increased. The people who granted that revenue under the circumstances of the occasion, were justified in resuming a part of it, under the pressing demand of an altered situation. They clearly felt their right; but they exercised it with pain and regret. They approached the throne with bleeding hearts, afflicted at the necessity of applying for retrenchment of the royal gratifications; but the request was at once loyal and submissive. It was justified by policy, and his majesty's compliance with the request was inculcated by prudence, as well as by affection. He confessed, that, when he considered the obli-

tions of the house, he could not cherish the idea that they would dispute the principle of the bill before them. He could not believe it possible that the principle of economy would be condemned, or the means of accomplishing it abandoned. For his own part, he admired the plan proposed. He felt himself, as a citizen of this country and a member of that house, highly indebted to the honorable author of it; and as he considered it as essential to the being and the independence of his country, he would give it the most determined support.

BEAUFOY ON HIS MOTION TO REPEAL THE TEST LAWS.

A FOREIGNER would naturally ask, what are these Dissenters, that their right to the common privileges of citizens should be disputed? Are they slaves to the rest of the community; or are they offenders who have forfeited their privileges by their crimes; or are they persons who from their religious tenets are unable, or from disaffection to the state are unwilling, to give the necessary pledges of obedience? Not as slaves to the rest of the community, do we deny them the usual privileges of citizens; for thanks to the spirit of our ancestors, there is in Great Britain no such description of men. Not as criminals do we exclude them from the enjoyment of their rights; for of the millions of subjects who inhabit the kingdom, there are none of more untainted integrity, or of more unquestionable honor. Neither as persons who are unable or unwilling to give sufficient pledge of their obedience to the state, do we reject them; for such is the satisfaction which we feel in the pledges they give of their attachment,—such is our reliance upon the oaths which they are at all times willing to take, that without hesitation or reserve we admit them to the highest of all trusts, that of legislative power; but the ground on which we do refuse them the rights and privileges which their fellow-citizens enjoy, is their presuming to believe, that in those concerns of religion which relate not to actions out opinions, it is every man's duty, as it is every man's right,

to follow the dictates of his own understanding. To be convinced by the evidence of another man's judgment, in opposition to the evidence of their own, they conceive to be as impossible as to credit the testimony of another man's sight in opposition to the evidence of their own eyes. It is this adherence to a necessary conclusion from self-evident premises ; it is this attachment to an unavoidable inference from axioms which no man living disputes ; it is this uniform regard for the right of private judgment in matters of religion, which, in the contemplation of the law, outweighs all sense of their virtues as men, all esteem of their patriotism as citizens, all respect for their loyalty as subjects ; it is this which has induced us to impose on them civil disabilities, without the commission of any offence. It is this which has impelled us to subject them, as far as the law can subject them, to the same disabilities, the same dishonor, with those who have been publicly convicted of wilful, corrupt, and deliberate perjury. Because you will not consent to be hypocrites, therefore, say the laws, you shall be treated as if you were perjured. No office under the crown, though your sovereign may invite you to his service ; no commission in the army though the enemy may be marching to the capital ; no share in the management of any of the commercial companies of the kingdom, though your whole fortunes may be vested in their stocks, shall be yours : from the direction of the Bank of England, from the direction of the East India Company, from that of Russia, the Turkish and South Sea Companies, you are entirely debarred : for if you should accept of any share in the management of these Companies, or of any office under the crown, or of any military employment, you are within the penalties of the statutes. In the first place, you forfeit to the informer the sum of £500 ; if you cannot pay that sum without delay, the penalty is imprisonment ; if you cannot pay at all, as may be the case with many a brave officer, who has offended against the law by fighting the battles of his country, the penalty is imprisonment for life. In the next place, you are incapable of suing for any debt. Does any one owe you money ? Have you intrusted him with your whole fortune ? It is in his power to cancel that debt, by annulling your means of recovering it ; and for that act of

dishonesty, of consummate fraud, of treachery in the extreme, the parliament assigns him a reward of £500, to be bequeathed from the wreck of your fortune. In the next place, the law denies you its protection : for the wrongs which he has done you, and for the insults and the injuries, however atrocious, which you have experienced from him, you shall have no redress : to the complaints of others against you, the ear of the magistrate is open ; but to your supplications, to your prayers, to your complaints, it is from this time forward inexorably shut. You are condemned to wretchedness and beggary for life. In the next place, you are incapable of receiving any legacy ; the inheritance bequeathed by your parents you cannot take ; your rights as sons are cancelled. In the last place, you are also incapable of being guardian to any child, even to your own. A former penalty annihilated your right as a child ; this abrogates your privileges as a parent. Such are the strong coercions by which the Dissenters are excluded from the enjoyment, not only of their most valuable privileges as citizens, but of rights which they hold by a higher title, and claim by a superior authority to any which civil governments bestow. How hard, then, is the situation of a Dissenter ? If he should disobey the laws, which exclude him from civil and military employments, and should accept of any office to which the choice of his sovereign or the confidence of his fellow-citizens may invite him, he is robbed of his fortune, stripped of his inheritance, deprived of his personal security, and bereaved of his privileges which result from a natural relation of a father to his child ! If, on the other hand, he should acquiesce in the law, and pursue no employments in the army, in the state, or in the commercial companies of the kingdom, he submits to the same disability, and acquiesces in the same degradation which belongs to those who are convicted of wilful, corrupt, and deliberate perjury ; he is loaded with the same punishments which are inflicted on those who have trampled on the first principles of religion, broken down the strongest fences of civil government, and violated the most solemn obligations of human society. Such disabilities, so imposed, are naked and undissembled wrongs ; and, inflicted for religious opinions, nearly constitute persecution ; for what is persecution, but injuries inflicted for re-

ligious belief? It is its true definition, its just and accurate description. What then are the consequences which follow from these melancholy facts? Injurious, and perhaps unexpected as the conclusion is, we are compelled, by the evidence of truths which we cannot dispute, to acknowledge that the pretended toleration of the Dissenters is a real persecution—a persecution which deprives them of a part of their civil rights, and which, with the same justice, and on the same plea, might equally deprive them of the rest—a persecution which denies them the management of their property, and which, with the same justice and on the same plea, might equally take from them the property itself—a persecution which deprives them of the right of defending their liberties and lives, and which, with the same justice, and precisely on the same plea, might equally deprive them both of liberty and life. If one degree of persecution may be justified, another degree of it, under different circumstances, may be justified also. Let but the principle be once admitted, and the Inquisitions of Portugal and Spain cease to be objects either of ridicule or of abhorrence.

Does the voice of a sovereign in a fearful and perilous season, call the Dissenters to his service, or does the strong impulse of affection for their native land urge them to oppose their strength to the-invading enemy, and to show him that his sword must pass through their breast, before it can reach that of their country! Presumptuous men! what shall be your fate? From this time forward you shall be treated as outcasts from the community! The law shall withhold from you the guards with which it protects the personal security of the subject; and even the rights of inheritance shall be taken from you. Do you complain that, guiltless of any offence, except the offence of having bled for your country, you are subjected to penalties so severe? It is but the lightest part of your punishment; a higher scourge remains. It is on your feelings as parents that the law shall inflict its deepest wound. Tainted in the eyes of your offspring as unfit to be trusted with the care of their education, or the superintendence of their morals, your natural affection shall be made the instrument of your severest anguish. O most incomparable system of ingenious cruelty! A

considerable part of the best subjects of the kingdom cannot indulge their attachment to their native land, but at the expense of their attachment to their offspring. The passion of the father for his child is opposed to his passion for the country. The barbarian, of whom we read in the papers on your table, that African tyrant who has carried the science of despotism to a perfection which Nero never knew, even he aspires at nothing more than to destroy the family attachment, and to annihilate the parental feeling. He does not attempt to oppose the attachment of the father to the duty of the citizen; but the British law is founded in deeper cruelty. Its object is to create a war of attachments, and to establish a conflict of passions. It is to make virtue inconsistent with virtue, duty irreconcilable to duty, affection incompatible with affection. Can such laws be consistent with the interests of the state? When the kingdom, a few years since, was assailed by the adherents to another claimant of the crown; when the faith of a large proportion of people was dubious; when the loyalty of many of those who were near the person of the king was thought to be tainted, and terror had palsied even more than corruption had seduced, what was then the conduct of the Protestant Dissenters of England? To say, that of the multitudes which composed that varied society there was not one man, not a single individual, who joined the enemy of his Majesty's house (unexampled as this proof of their loyalty was), is, however, but to speak the smallest part of their praise; for at the very time when the armies of the state had been repeatedly discomfited; at the very time that those who reached at his majesty's crown were actually in possession of the centre of the kingdom: at the very time when Britain, unable to rely on her native strength, and hourly trembling for her safety, had recourse to foreign aid; at that very time, the Dissenters, regardless of the dreadful penalties of the law, and anxious for their country alone, eagerly took up arms. And what was the return which they received? As soon as the danger was passed by, they were compelled to solicit protection of that general mercy which was extended to the very rebels against whom they fought; they were obliged to shelter themselves under that act of grace which was granted to the very traitors, from whose

arms they had defended the crown, and the life of the sovereign. It was thus only that they escaped those dreadful penalties which they incurred by their loyalty, and which the irritated friends of the rebellion were impatient to bring down upon them. To the disgrace of our statutes, to the dishonor of the British name, to the reproach of humanity, these persecuting statutes are still unrepealed.

As yet, I have spoken as an advocate for a numerous description of my fellow-subjects, whose moral virtues I esteem, whose patriotism I revere, whose situation, as much injured men, has strongly attached me to their cause, but to whose religious persuasion I myself do not belong. Permit me now, for a few moments, before I conclude, to speak of interests, in which I have a more immediate and personal concern, the interest of the church of England. From all testimonies, ancient and modern, I have ever understood, that the worst practice of which a legislature can be guilty, is that of employing the laws of a country to degrade and make contemptible the religion of the country. For what man is so little acquainted with the motives of the human heart, or knows so little of the history of nations, as not to be aware, that in proportion as he weakens in the people their respect for religion, he corrupts their manners, and in proportion as he corrupts their manners, he renders all laws ineffectual. Now, of all the solemn rites and sacred ordinances of her faith, there is not one so guarded round with terrors, and over which the avenging sword of the Almighty appears so distinctly to the view, as the ordinance of the holy sacrament; for, "he who presumes to eat of that bread, and to drink of that cup unworthily, eateth and drinketh his own damnation; he is guilty of the body and blood of Christ, and provokes the Almighty to plague him with divers diseases, and sundry kinds of death." That these terrible denunciations may not be lightly and unthinkingly incurred, the minister is directed, when he stands at the holy altar, to prohibit the approach of all persons of abandoned morals and of a profligate life. Such are the injunctions of his religion; but the law tells him, that to those very persons, abandoned and profligate as they are, if by any means they have found their way to office, he must

administer the sacrament. Is he informed, that the man who demands it, is covered with crimes; a smuggler perhaps (for such appointments have been at no time unfrequent) who has obtained his employment as a reward for having betrayed his associates, and for having added private treachery to a long course of public fraud? Is he told, that this man, new as he is to office, is already supposed to have violated his oath, and that the weight of accumulated perjury is already on his head? Still, however, the clergyman must comply with his demand; for perjured as he is, the Test act has given him a legal right to the sacrament of the Lord's Supper. Should the minister refuse, the expense of a ruinous suit would devour his scanty means, and consign him for life to a prison. Thus circumstanced, the minister has no choice; yet he cannot but know that in taking it unworthily he eats and drinks his own damnation! Such is the task which the Test act has assigned to these very men, whose particular duty it is to guard their fellow-subjects from perdition, and to guide them in their road to happiness. If in the records of human extravagance, or of human guilt, there can be found a law more presumptuous than this, I will give up the cause. And to what purpose is this debasement of religion? If it be thought requisite that Dissenters be excluded from the common privileges of citizens, why must the sacrament be made the instrument of the wrong? Why must the purity of the temple be polluted? Why must the sanctity of the altar be defiled? Why must the most sacred ordinance of her faith be exposed to such gross, such unnecessary prostitution? If there be persons who are too little attached to the theory of the Christian faith, to be shocked at the impiety, they must at least be astonished at the folly of such a conduct.

The Saviour of the world instituted the Eucharist in commemoration of his death, an event so tremendous that nature afflicted hid herself in darkness; but the British legislature has made it a qualification for gauging beer-barrels and soap-boiler's tubs; for writing custom-house cockets and debentures, and for seizing smuggled tea! The mind is oppressed with ideas so misshapen and monstrous! Sacrilege, hateful as it always is, never before assumed an appearance so hideous and deformed. Endeavors

have been often used to justify the legal establishment of this impious profanation, by comparing it with those provisions of our law, which enjoined the sanction of an oath : but the argument equally insults the integrity and understanding of every man to whom it is addressed ; for though it be, indeed, true, that the legislature by compelling every petty officer of the revenue, and every collector of a turnpike toll, to swear deeply on his admission into office, and has made the crime of perjury more frequent than it ever before was in any age or country, yet how does the frequent commission of this crime against law justify the establishment of a religious profanation by law ? But without commenting on the folly of pleading for a legislative debasement of religion in one way, by showing that the legislature has contributed to its debasement in another, what resemblance does the sacrament of the Lord's Supper, which is merely a religious institution, bear to the ceremony of an oath, which is an institution entirely political ? An oath answers none of the purposes of religion : it neither promotes any of her interests, nor forms any part of her establishment. It belongs to the Jew, the Mahometan, and the idolater of every description, as much as it belongs to the Christian ; but such are the arguments by which the Test and Corporation acts have ever been defended.

FOX ON THE SAME SUBJECT.

WERE we to recur to first principles, and observe the progress of the Christian religion in the first stages of its propagation, we should perceive that no vice, evil, or detriment had ever sprung from toleration. Persecution had always been a fertile source of much evil : perfidy, cruelty, and murder had often been the consequence of intolerant principles. The massacres at Paris, the martyrdom at Smithfield, and the executions of the Inquisition, were among the many horrid and detestable crimes which had at different times originated solely from persecution. To suppose a man wicked, or immoral, merely on account of any difference of religious opinion, was as false as it was absurd ; yet this was

the original principle of persecution. Morality was thought to be most effectually enforced and propagated, by insisting on a general unity of religious sentiments; the dogmas of men in power were to be substituted in the room of every other religious opinion, as it might best answer the ends of policy and ambition; it proceeded entirely on this grand fundamental error, that one man could better judge of the religious opinions of another than the man himself could. Upon this absurd principle, persecution might be consistent; but in this it resembled madness; the characteristic of which was, acting consistently upon wrong principles. The doctrines of Christianity might have been expected to possess sufficient influence to counteract this great error: but the reverse had proved to be the case. Torture and death had been the auxiliaries of persecution—the grand engines used in support of one particular system of religious opinion, to the extermination of every other. Toleration proceeded on direct contrary principles. Its doctrines, he was sorry to say, even in this enlightened age, were but of a modern date in any part of the world. Before the reign of King William, it had not a footing in England. The celebrated act of toleration of that reign, notwithstanding the boasted liberality of its principles, was narrow, confined, and incomplete. What was it, but a toleration of thirty-four articles, out of thirty-nine prescribed as the standard of belief in matters of religion? Was any tolerated who did not subscribe to the thirty-four articles in question? No! Strict and implicit conformity to these was enjoined on accepting any civil employment. Persecution indeed originally might be allowed to proceed on this principle of kindness—to promote a union of religious opinion, and to prevent error in the important matters of Christian belief. But did persecution ever succeed in this truly humane and charitable design? Never. Toleration, on the other hand, was founded on the broad and liberal basis of reason and philosophy. It consisted in a just diffidence of our own particular opinion, and recommended universal charity and forbearance to the world around us. The true friend of toleration ought never to impute evil intentions to another, whose opinions might, in his apprehensions, be attended with dangerous consequences. The

man professing such opinions might not be aware of any evil attached to his principles; and therefore to ascribe to such a person any hostile intention, when his opinions only might be liable to exception, was but the height of illiberality and uncharitableness. Thus much obloquy and unfounded calumny had been used to asperse the character of the Roman Catholics, on account of the supposed tendency of their religious tenets to the commission of murder, treason, and every other species of horrid crimes, from a principle of conscience! What was this, but a base imputation of evil intentions, from the uncharitable opinions entertained of that profession as a sect? He lamented their errors; rejected their opinions, which appeared dangerous; was ready to confide in their good professions; and was willing to appeal to the experience of this enlightened age, if they had not been accused unjustly, and condemned uncharitably. For would any man say, that every duty of morality was not practised in those countries, in which the Roman Catholic religion was established and professed? Would it not be an imputation as palpably false, as it would be illiberal, for any one to utter such a foul, unmerited, and indiscriminate calumny? But this was always the haughty, arrogant, and illiberal language of persecution, which led men to judge uncharitably, and to act with bitter intolerance. Persecution always said, "I know the consequences of your opinion better than you know them yourselves." But the language of toleration was always amicable, liberal, and just; it confessed its doubts, and acknowledged its ignorance. It said, "Though I dislike your opinions, because I think them dangerous, yet, since you profess such opinions, I will not believe you can think such dangerous inferences flow from them which strike my attention so forcibly." This was truly a just and legitimate mode of reasoning, always less liable to error, and more adapted to human affairs. When we argued *à posteriori*, judging from the fruit to the tree, from the effect to the cause, we were not so subject to deviate into error and falsehood, as when we pursued the contrary method of argument. Yet persecution had always reasoned from cause to effect, from opinion to action, which proved generally erroneous; while toleration led us invariably to form

just conclusions, by judging from actions, and not from opinions. Hence every political and religious test was extremely absurd; and the only test, in his opinion, to be adopted, ought to be a man's actions. He had the most perfect conviction, that test laws had nothing to do with civil affairs. A view of civil society throughout the world must convince every reasonable person, that speculative opinions in religion had little or no influence upon the moral conduct, without which all religion were vain. Such was the great absurdity of the present Test laws, that a man who favored arbitrary power in his sentiments; who should consider the abolition of trial by jury as no violation of liberty, nor the invasion of the freedom and law of parliament any infraction of the constitution; yet such a man, in defiance of the present Test laws, might easily pave the way to the very first situations in the state. There was no political test to bind him; the custom of the country had deservedly exploded such absurd restraints. No alarm was excited by political speculations; the law considered no man's opinions either hostile or injurious to the state, until such opinions were reduced into action. Then, and then only, was the law armed with competent authority to punish the offender.

The opinions of another, in matters of religion, ought always to be supposed to be founded on good intentions. As unjust would it be to deprive a single individual whose conduct had always been meritorious, of any of his civil rights, on account of any exceptionable conduct in the general body to which he belonged. All merit, or demerit, therefore, in the body of Dissenters was quite out of the question; and the house had only to decide on general principles. Indisposed, however, as he was, to allow merit or demerit any weight in the discussion of the present question, yet he could not forbear observing, that the conduct of the Dissenters had not only been unexceptionable, but also highly meritorious. They had deserved well of their country. When plots had been concerted, combinations formed, and insurrections raised against the state; when the whole country was in a state of alarm, distraction, and trouble; when the constitution, both civil and ecclesiastical, was in immediate danger of subversion; when the monarch trembled for the safety of his throne, crown, and dignity,

the Dissenters, instead of being concerned in the dangerous machinations forming against the government, proved themselves, in the hour of peril and emergency, the firmest support of the state. During the rebellions of 1715 and 1745, they cheerfully had exposed their persons, lives, and property, in defence of their king and country; and by their noble exertions, our enemies were defeated, our constitution preserved, and the Brunswick family continued in possession of the throne. They were then, as they are now, incapacitated from holding commissions, civil or military, in the service of their country. Did they plead their incapacity, or the penalties to which they were subject? No—they freely drew their swords; they nobly transgressed the laws which proscribed them; and successfully fought the battles of our constitution. For this gallant behavior all they ever obtained was an act of indemnity—a pardon for doing their duty as good citizens, in rescuing their country in the hour of danger and distress. Such were the absurdities of the laws framed on the monstrous principles of persecution.

BURKE ON FOX'S INDIA BILL

THE several irruptions of Arabs, Tartars, and Persians into India were, for the greater part, ferocious, and bloody, and wasteful in the extreme: our entrance into the dominion of that country, was as generally with small comparative effusion of blood, being introduced by various frauds and delusions, and by taking advantage of the incurably blind, and senseless animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favor of the first conquerors is this; the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity, and children there beheld the monuments of their fathers. Here their lot was finally cast, and it is the natural wish of all, that their lot should not be cast in a

bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man, and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar lords to acts of rapacity and tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence, and tyranny, they were still domestic hoards; and domestic profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play; the sources of acquisition were not dried up, and therefore the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself, operated both for the preservation and the employment of national wealth. The husbandman and manufacturer paid heavy interest, but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure, and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous; but it is our protection that destroys India. It was their enmity, but it is our friendship: our conquest there, after twenty years, is as crude as it was the first day. The natives scarcely know what it is to see the gray head of an Englishman. Young men (boys almost), govern there without society, and without sympathy with the natives. They have no more social habits with the people, than if they still resided in England, nor indeed any species of intercourse but that which is necessary to making a sudden fortune with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth, they roll in one after another, wave after wave, and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman is lost forever to India. With us are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor,

for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospital, no palaces, no schools. England has built no bridges, made no high-roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain to tell that it had been possessed, during the inglorious period of our dominion, by anything better than the orang-outang, or the tiger.

There is nothing in the boys we send to India, worse than the boys whom we are whipping at school, or that we see trailing a pike or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England, and the cries of India are given to seas and winds, to be blown about in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate by which sudden fortune is acquired; in England are often displayed, by the same persons, the virtues which dispense hereditary wealth. Arrived in England, the destroyers of the nobility and gentry of a whole kingdom, will find the best company in this nation, at a board of elegance and hospitality. Here the manufacturer and husbandman will bless the just and punctual hand, that in India has torn the cloth from the loom, or wrested the scanty portion of rice and salt from the peasant of Bengal, or wrung from him the very opium in which he forgot his oppressions, and his oppressor. They marry into your families, they enter into your senate, they ease your estates by loans, they raise their value by demand, they cherish and protect your relations which lie heavy on your patronage and there

is scarcely a house in the kingdom that does not feel some concern and interest, that makes all reform of our eastern government appear officious and disgusting, and on the whole a most discouraging attempt. In such an attempt you hurt those who are able to return kindness or to resent injury. If you succeed, you save those who cannot so much as give you thanks. All these things show the difficulty of the work we have on our hand: but they show its necessity too. Our Indian government is in its best state a grievance; it is necessary that the correctives should be uncommonly vigorous, and the work of men sanguine, warm, and even impassioned in the cause. But it is an arduous thing to plead against abuses of a power which originates from our own country, and affects those whom we are used to consider as strangers.

BURKE'S EULOGY ON FOX.

HAVING done my duty to the bill, let me say a word to the author. I should leave him to his own noble sentiments, if the unworthy and illiberal language with which he has been treated, beyond all example of parliamentary liberty, did not make a few words necessary; not so much in justice to him, as to my own feelings. I must say, then, that it will be a distinction honorable to the age, that the rescue of the greatest number of the human race that ever were so grievously oppressed, from the greatest tyranny that was ever exercised, has fallen to the lot of abilities and dispositions equal to the task; that it has fallen to one who has the enlargement to comprehend, the spirit to undertake, and the eloquence to support, so great a measure of hazardous benevolence. His spirit is not owing to his ignorance of the state of men and things; he well knows what snares are spread about his path, from personal animosity, from court intrigues, and possibly from popular delusion. But he has put to hazard his ease, his security, his interest, his power, even his darling popularity, for the benefit of a people whom he has never seen. This is the road that all heroes have trod before him. He is traduced and abused for his

supposed motives. He will remember, that obloquy is a necessary ingredient in the composition of all true glory : he will remember, that it was not only in the Roman customs, but it is in the nature and constitution of things, that calumny and abuse are essential parts of triumph. These thoughts will support a mind, which only exists for honor, under the burthen of temporary reproach. He is doing indeed a great good ; such as rarely falls to the lot, and almost as rarely coincides with the desires, of any man. Let him use his time. Let him give the whole length of the reins to his benevolence. He is now on a great eminence, where the eyes of mankind are turned to him. He may live long, he may do much. But here is the summit. He never can exceed what he does this day.

He has faults ; but they are faults that, though they may in a small degree tarnish the lustre, and sometimes impede the march of his abilities, have nothing in them to extinguish the fire of great virtues. In those faults, there is no mixture of deceit, of hypocrisy, of pride, of ferocity, of complexional despotism, or want of feeling for the distresses of mankind. His are faults which might exist in a descendant of Henry the Fourth of France, as they did exist in that father of his country. Henry the Fourth wished that he might live to see a fowl in the pot of every peasant in his kingdom. That sentiment of homely benevolence was worth all the splendid sayings that are recorded of kings. But he wished perhaps for more than could be obtained, and the goodness of the man exceeded the power of the king. But this gentleman, a subject, may this day say this at least, with truth, that he secures the rice in his pot to every man in India. A poet of antiquity thought it one of the first distinctions to a prince whom he meant to celebrate, that through a long succession of generations, he had been the progenitor of an able and virtuous citizen, who by force of the arts of peace, had corrected governments of oppression, and suppressed wars of rapine.

*Indole proh quanta juvenis, quantumque daturus
Ausoniæ populis, ventura in sæcula civem.
Ille super Gangem, super exauditus et Indos,
Implebit terras voce ; et furialia bella
Fulmine compescit linguæ.*

This was what was said of the predecessor of the only person to whose eloquence it does not wrong that of the mover of this bill to be compared. But the Ganges and the Indus are the patrimony of the fame of my honorable friend, and not of Cicero. I confess, I anticipate with joy, the reward of those, whose whole consequence, power, and authority, exist only for the benefit of mankind ; and I carry my mind to all the people, and all the names and descriptions, that, relieved by this bill, will bless the labors of this parliament, and the confidence which the best House of Commons has given to him who the best deserves it. The little cavils of party will not be heard, where freedom and happiness will be felt. There is not a tongue, a nation, or religion in India, which will not bless the presiding care and manly beneficence of this house, and of him who proposes to you this great work. Your names will never be separated before the throne of the Divine Goodness, in whatever language, or with whatever rites, pardon is asked for sin, and reward for those who imitate the Godhead in his universal bounty to his creatures. These honors you deserve, and they will surely be paid, when all the jargon of influence, and party, and patronage, are swept into oblivion.

I have spoken what I think, and what I feel, of the mover of this bill. An honorable friend of mine, speaking of his merits, was charged with having made a studied panegyric. I don't know what his was. Mine, I am sure, is a studied panegyric ; the fruit of much meditation ; the result of the observation of near twenty years. For my own part, I am happy that I have lived to see this day ; I feel myself overpaid for the labors of eighteen years, when, at this late period, I am able to take my share, by one humble vote, in destroying a tyranny that exists to the disgrace of this nation, and the destruction of so large a part of the human species.

SHERIDAN ON THE TRIAL OF WARREN HASTINGS.

SHOULD a stranger survey the land formerly Sujah Dowlah's, and seek the cause of its calamity—should he ask, what monstrous

madness had ravaged thus, with wide-spread war—what desolating foreign foe—what disputed succession—what religious zeal—what fabled monster has stalked abroad, and with malice and mortal enmity to man, has withered with the gripe of death every growth of nature and humanity—all the means of delight, and each original, simple principle of bare existence? the answer will be, if any answer dare be given, No, alas! not one of these things! no desolating foreign foe!—no disputed succession!—no religious super-serviceable zeal! This damp of death is the mere effusion of British amity—we sink under the pressure of their support—we writhe under the gripe of their pestiferous alliance!

Thus they suffered—in barren anguish, and ineffectual bewailings. And, O audacious fallacy!—says the defence of Mr. Hastings—What cause was there for any incidental ills, but their own resistance?

The cause was nature in the first-born principles of man. It grew with his growth; it strengthened with his strength! It taught him to understand; it enabled him to feel. For where there is human fate, can there be a penury of human feeling?—Where there is injury, will there not be resentment?—Is not despair to be followed by courage? The God of Battles pervades and penetrates the inmost spirit of man, and rousing him to shake off the burthen that is grievous, and the yoke that is galling, will reveal the law written in his heart, and the duties and privileges of his nature—the grand, universal compact of man with man!—That power is delegated in trust, for the good of all who obey it—That the rights of men must arm against man's oppression—for that indifference were treason to human state, and patience nothing less than blasphemy—against the laws which govern the world!

It was in some degree observable, that not one of the private letters of Mr. Hastings had been produced at any time. Even Middleton, when all confidence was broken between them, by the production of his private correspondence at Calcutta, either feeling for his own safety or sunk under the fascinating influence of his master, did not dare attempt a retaliation! The letters of Middleton, however, were sufficient to prove the situation of the

Nabob, when pressed to the measure of resuming the Jaghires, in which he had been represented as acting wholly from himself. He was there described as lost in sullen melancholy—with feelings agitated beyond expression, and with every mark of agonized sensibility. To such a degree was this apparent, that even Middleton was moved to interfere for a temporary respite, in which he might be more reconciled to the measure. I am fully of opinion, said he, that the despair of the nabob must impel him to violence; I know also that the violence must be fatal to himself—but yet I think, that with his present feelings, he will disregard all consequences. Mr. Johnson, also, the assistant Resident, wrote at the same time to Mr. Hastings to aver to him that the measure was dangerous, that it would require a total reform of the collection, which could not be made without a campaign! This was British justice! this was British humanity! Mr. Hastings ensures to the allies of the company in the strongest terms their prosperity and his protection;—the former he secures by sending an army to plunder them of their wealth and to desolate their soil!—his protection is fraught with a similar security;—like that of a vulture to a lamb—grappling in its vitals!—thirsting for its blood!—scaring off each petty kite that hovers around—and then, with an insulting perversion of terms, calling sacrifice, protection!

An object for which history searches for any similarity in vain—The deep-searching annals of Tacitus—the luminous philosophy of Gibbon—all the records of man's enormity, from original sin to this period in which we pronounce it, dwindle into comparative insignificance of enormity—both in aggravations of vile principles, and extent of their consequential ruin! The victims of this oppression were confessedly destitute of all power to resist their oppressors; but that debility, which from other bosoms would have claimed some compassion, with respect to the mode of suffering, here excited but the ingenuity of torture! Even when every feeling of the nabob was subdued, nature made a lingering, feeble stand within his bosom: but even then that cold unfeeling spirit of malignity, with whom his doom was fixed, returned with double acrimony to its purpose, and compelled him

to inflict on a parent that destruction, of which he was himself reserved but to be the last victim !

The counsel in recommending an attention to the public in preference to the private letters, had remarked in particular, that one letter should not be taken as evidence, because it was evidently and abstractedly private, as it contained in one part the anxieties of Mr. Middleton for the illness of his son—This was a singular argument indeed. The circumstance undoubtedly merited strict observation, though not in the view in which it was placed by the counsel. It went to show that some at least of those concerned in these transactions, felt the force of those ties, which their efforts were directed to tear asunder—that those who could ridicule the respective attachment of a mother and a son—who would prohibit the reverence of the son to the mother who had given him life—who could deny to maternal debility the protection which filial tenderness should afford—were yet sensible of the straining of those cords by which they were connected. There was something in the present business—with all that was horrible to create aversion—so vilely loathsome, as to excite disgust. If it were not a part of my duty, it would be superfluous to speak of the sacredness of the ties which those aliens to feeling—those apostates to humanity, had thus divided. In such an assembly, as that before which I speak, there is not an eye but must look reproof to this conduct—not a heart but must anticipate its condemnation. Filial piety ! It is the primal bond of society—It is that instinctive principle, which, panting for its proper good, soothes, unbidden, each sense and sensibility of man ! It now quivers on every lip !—it now beams from every eye ! It is that gratitude, which softening under the sense of recollected good, is eager to own the vast countless debt it ne'er, alas ! can pay—for so many long years of unceasing solitudes, honorable self denials, life-preserving cares ! It is that part of our practice, where duty drops its awe !—where reverence refines into love ! It asks no aid of memory ! It needs not the deductions of reason ! Pre-existing, paramount over all, whether law or human rule—few arguments can increase and none can diminish it ! It is the sacrament of our nature—not only the duty, but the indulgence of man—It

is his first great privilege—It is amongst his last most endearing delights!—when the bosom glows with the idea of reverberated love—when to requite on the visitations of nature, and return the blessings that have been received, when—what was emotion fixed into vital principle!—what was instinct habituated into a master passion—sways all the sweetest energies of man—hangs over each vicissitude of all that must pass away—aids the melancholy virtues in their last sad tasks of life—to cheer the languors of decrepitude, and age—explore the thought—explain the aching eye!

He then proceeded to relate the circumstances of the imprisonment of Bahar Ally Cawn and Jewar Ally Cawn, the ministers of the nabob, on the grounds he had stated: with them was confined that arch rebel Sumpshire Cawn, by whom every act of hostility that had taken place against the English, was stated to have been committed. No inquiry, however, was made concerning his treason, though many had been held respecting the treasure of the others. He was not so far noticed as to be deprived of his food,* nor was he even complimented with fetters! and yet when he is on a future day to be informed of the mischiefs he was now stated to have done, he must think that on being forgotten, he had a very providential escape! The others were, on the contrary, taken from their milder prison at Fyzabad; and when threats could effect nothing, transferred by the meek humanity of Mr. Middleton to the fortress of Chunargur. There, where the British flag was flying, they were doomed to deeper dungeons, heavier chains, and severer punishments. There where that flag was displayed, which was wont to cheer the depressed, and to dilate the subdued heart of misery—these venerable, but unfortunate men were fated to encounter something lower than perdition, and something blacker than despair! It appeared from the evidence

* The following note from Mr. Middleton to Lieutenant Francis Rutledge, dated January 20, 1782, had been read in evidence:

“Sir,

“When this note is delivered to you by Hoolas Roy, I have to desire, that you order the two prisoners to be put in irons, keeping them from all food, &c. agreeable to my instructions of yesterday.

(Signed,)

NATH. MIDDLETON.”

of Mr. Holt and others, that they were both cruelly dogged, though one was above seventy years of age, to extort a confession of the buried wealth of the Begums! Being charged with disaffection, they proclaimed their innocence. "Tell us where are the remaining treasures (was the reply)—it is only a treachery to your immediate sovereigns: and you will then be fit associates for the representatives of British faith and British justice in India!" Oh! faith, Oh justice! exclaimed Mr. Sheridan, I conjure you by your sacred names to depart for a moment from this place, though it be your peculiar residence; nor hear your names profaned by such a sacrilegious combination, as that which I am now compelled to repeat! where all the fair forms of nature and art, truth and peace, policy and honor, shrunk back aghast from the deleterious shade; where all existences, nefarious and vile, had sway; where amidst the black agents on one side, and Middleton with Impey on the other, the toughest bend, the most unfeeling shrink!—the great figure of the piece; characteristic in his place! aloof and independent, from the puny profligacy in his train! but far from idle and inactive, turning a malignant eye on all mischief that awaits him!—the multiplied apparatus of temporizing expedients, and intimidating instruments!—now cringing on his prey, and fawning on his vengeance!—now quickening the limping pace of craft, and forcing every stand that retiring nature can make in the heart!—the attachments and the decorums of life!—each emotion of tenderness and honor!—and all the distinctions of national characteristics!—with a long catalogue of crimes and aggravations, beyond the reach of thought for human malignity to perpetrate, or human vengeance to punish!—lower than perdition—blacker than despair!

But justice is not this halt and miserable object! It is not the ineffective bauble of an Indian Pagod! It is not the portentous phantom of despair—It is not like any fabled monster, formed in the eclipse of reason, and found in some unhallowed grove of superstitious darkness, and political dismay! No, my lords!

In the happy reverse of all this, I turn from this disgusting caricature to the real image! Justice I have now before me august and pure! the abstract idea of all that would be perfect in

the spirits and the aspirings of men ! where the mind rises, where the heart expands :—where the countenance is ever placid and benign : where her favorite attitude is to stoop to the unfortunate :—to hear their cry and to help them :—to rescue and relieve, to succor and save :—majestic, from its mercy :—venerable, from its utility :—uplifted, without pride :—firm, without obduracy :—beneficent in each preference :—lovely, though in her frown !

On that justice I rely :—Deliberate and sure, abstracted from all party purpose and political speculation !—not on words, but on facts !—you, my lords, who hear me, I conjure, by those rights it is your best privilege to preserve—by that fame it is your best pleasure to inherit—by all those feelings which refer to the first term in the series of existence, the original compact of our nature—our controlling rank in the creation—This is the call on all, to administer to truth and equity, as they would satisfy the laws and satisfy themselves—with the most exalted bliss, possible or conceivable for our nature :—The self-approving consciousness of virtue, when the condemnation we look for will be one of the most ample mercies accomplished for mankind since the creation of the world ! My lords, I have done !

BURKE'S EULOGY ON SHERIDAN'S SPEECH.

MR. SHERIDAN has this day surprised the thousands, who hung with rapture on his accents, by such an array of talents, such an exhibition of capacity, such a display of powers, as are unparalleled in the annals of oratory ; a display that reflected the highest honor upon himself, lustre upon letters, renown upon parliament, glory upon the country. Of all species of rhetoric, of every kind of eloquence, that has been witnessed, or recorded, either in ancient, or modern times ; whatever the acuteness of the bar, the dignity of the senate, the solidity of the judgment-seat, and the sacred morality of the pulpit have hitherto furnished ; nothing has surpassed, nothing has equalled what we have this day heard in

Westminster Hall. No holy seer of religion, no sage, no statesman, no orator, no man of any literary description whatever, has come up, in the one instance, to the pure sentiments of morality, or in the other, to that of variety of knowledge, force of imagination, propriety and vivacity of allusion, beauty and elegance of diction, strength and copiousness of style, pathos and sublimity of conception, to which we have this day listened with ardor and admiration. From poetry up to eloquence, there is not a species of composition of which a complete and perfect specimen might not, from that single speech, be culled and collected.

PETITION OF THE WIFE OF ALMAS ALI CAWN TO WARREN
HASTINGS.

MAY the blessings of thy God wait upon thee, may the sun of glory shine round thy head, and may the gates of plenty, honor, and happiness be always open to thee and thine. May no sorrow distress thy days, may no strife disturb thy nights, may the pillow of peace kiss thy cheeks, and the pleasures of imagination attend thy dreams; and when length of years makes thee tired of earthly joys, and the curtain of death gently closes round the last sleep of human existence, may the angels of God attend thy bed, and take care that the expiring lamp of life shall not receive one rude blast to hasten its extinction.

O hearken then to the voice of distress, and grant the petition of thy servant! O spare the father of my children, save the partner of my bed, my husband, my all that is dear! Consider, O mighty sir! that he did not become rich by iniquity; and that what he possessed was the inheritance of a long line of flourishing ancestors; who in those smiling days, when the thunder of Great Britain was not heard on the fertile plains of Hindostan, reaped their harvests in quiet, and enjoyed their patrimony unmolested. Think, O think! that the God thou worshippest, delights not in the blood of the innocent: remember thy own commandment, thou shalt not kill, and by the order of heaven give me back my

Almas Ali Cawn, and take all our wealth, strip us of all our precious stones, of all our gold and silver, but take not the life of my husband; innocence is seated on his brow, and the milk of human kindness flows round his heart; let us wander through the deserts, let us become tillers and laborers in those delightful spots of which he was once lord and master.

But spare, O mighty sir! spare his life; let not the instrument of death be lifted up against him, for he hath not committed any crime; accept our treasures with gratitude, thou hast them at present by force; we will remember thee in our prayers and forget that we were ever rich and powerful. My children, the children of Almas Ali, send up their petition for the life of him who gave them birth, they beseech from thee the author of their existence; from that humanity which we have been told glows in the hearts of Englishmen, by the honor, the virtue, the honesty, and the maternal feelings of the great queen, whose offspring is so dear to her, the miserable wife of thy prisoner beseeches thee to save the life of her husband, and restore him to her arms; thy God will reward thee, thy country must thank thee, and she now petitioning, will ever pray for thee, if thou grantest the prayer of thy

Humble vassal,

ALMASSA ALLI CAWN.

LORD ERSKINE ON CRUELTY TO ANIMALS.

MY LORDS,—I am now to propose to the humane consideration of the house, a subject which has long occupied my attention, and which I own to your lordships is very near my heart.

It would be a painful and disgusting detail, if I were to endeavor to bring before you almost innumerable instances of cruelty to animals, which are daily occurring in this country, and which, unfortunately, only gather strength by any efforts of humanity in individuals to repress them, without the aid of the law.

These unmanly and disgusting outrages are most frequently perpetrated by the basest and most worthless; incapable, for the

most part, of any reproof which can reach the mind, and who know no more of the law, than that it suffers them to indulge their savage dispositions with impunity.

Nothing is more notorious, than that it is not only useless, but dangerous, to poor suffering animals, to reprove their oppressors, or to threaten them with punishment. The general answer, with the addition of bitter oaths and increased cruelty, is, "What is that to you?"

If the offender be a servant, he curses you, and asks if you are his master? and if he be the master himself, he tells you that the animal is his own. Every one of your lordships must have witnessed scenes like this. A noble duke, whom I do not see in his place, told me only two days ago, that he had lately received this very answer. The validity of this most infamous and stupid defence, arises from that defect in the law which I seek to remedy. Animals are considered *as property only*—To destroy or to abuse them, from malice to the proprietor, or with an intention injurious to his interest in them, is criminal; *but the animals themselves are without protection*—the law regards them not *substantively*—they have no rights!

I will not stop to examine, whether public cruelty to animals may not be, under many circumstances, an indictable offence: I think it is, and if it be, it is so much the better for the argument I am about to submit to your lordships. But if even this were clearly so, it would fall very short of the principle which I mean anxiously and earnestly to invite the house to adopt. I am to ask your lordships, in the name of that God who gave to man his dominion over the lower world, to acknowledge and recognize that dominion to be a *Moral Trust*. It is a proposition which no man living can deny, without denying the whole foundation of our duties, and everything the bill proposes will be found to be absolutely corollary to its establishment; except, indeed, that from circumstances inevitable, the enacting part will fall short of that which the indisputable principle of the preamble would warrant.

Nothing, my lords, is, in my opinion, more interesting, than to contemplate the helpless condition of man, with all his godlike

faculties, when stripped of the aids which he receives from the numerous classes of inferior beings, whose qualities, and powers, and instincts, are admirably and wonderfully constructed for his use. If, in the examination of these qualities, powers, and instincts, we could discover nothing else, but that admirable and wonderful construction for man's assistance; if we found no organs in the animals for their own gratification and happiness—no sensibility to pain or pleasure—no grateful sense of kindness, nor suffering from neglect or injury—no senses analogous, though inferior to our own: if we discovered, in short, nothing but mere animated matter, obviously and exclusively subservient to human purposes, it would be difficult to maintain that the dominion over them was a trust; in any other sense, at least, than to make the best use for ourselves of the property in them which Providence had given us. But, my lords, it calls for no deep or extended skill in natural history, to know that the very reverse of this is the case, and that God is the benevolent and impartial author of all that he has created. For every animal which comes in contact with man, and whose powers, and qualities, and instincts, are obviously constructed for his use, Nature has taken the same care to provide, and as carefully and bountifully as for man himself, organs and feelings for its own enjoyment and happiness. Almost every sense bestowed upon man, is equally bestowed upon them—seeing, hearing, feeling, thinking, the sense of pain and pleasure, the passions of love and anger, sensibility to kindness, and pangs from unkindness and neglect, are inseparable characteristics of their natures, as much as of our own. Add to this, my lords, that the justest and tenderest consideration of this benevolent system of Nature, is not only consistent with the fullest dominion of man over the animal world, but establishes and improves it. In this, as in everything else, the whole moral system is inculcated by the pursuit of our own happiness. In this, as in all other things, our duties and our interests are inseparable. I defy any man to point out any one abuse of a brute which is property, by its owner, which is not directly against his own interest. Is it possible, then, my lords, to contemplate this wonderful arrangement, and to doubt, for a single moment, that our dominion over animals is a

trust ? They are created indeed for our use, but not for our abuse : their freedom and enjoyments, when they cease to be consistent with our just dominion and enjoyments, can be no part of their natures ; but whilst they are consistent, their rights, subservient as they are, ought to be as sacred as our own. And although certainly, my lords, there can be no law for man in that respect, but such as he makes for himself, yet I cannot conceive anything more sublime, or interesting, more grateful to heaven, or more beneficial to the world, than to see such a spontaneous restraint imposed by man upon himself.

This subject is most justly treated by one of the best poets in our language.

Mr. Cowper, in the Task, says :—

“The sum is this—
If man's convenience, health, or safety
Interfere, his rights and claims are paramount,
And must extinguish theirs, else they are all.”—

Every other branch of our duties, when subject to frequent violation, has been recognized and inculcated by our laws, and the breaches of them repressed by punishments ; and why not in this, where our duties are so important, so universally extended, and the breaches of them so frequent and so abominable ?

But in what I am proposing to your lordships, disinterested virtue, as in all other cases, will have its own certain reward. The humanity you shall extend to the lower creation will come abundantly round in its consequences to the whole human race. The moral sense which this law will awaken and inculcate, cannot but have a most powerful effect upon our feelings and sympathies for one another. The violences and outrages committed by the lower orders of the people, are offences more owing to want of thought and reflection, than to any malignant principle ; and whatever, therefore, sets them a thinking upon the duties of humanity, more especially where they have no rivalries nor resentments, and where there is a peculiar generosity in forbearance and compassion, has an evident tendency to soften their natures, and to moderate their passions, in their dealings with one another.

The effect of laws which promulgate a sound moral principle, is incalculable ; I have traced it in a thousand instances, and it is impossible to describe its value.

My lords, it was in consequence of these simple views, and on those indisputable principles, that I have framed the preamble of the very short bill which I now present for a second reading to the house. I might without preamble or preface, have proposed at once to enact, if not to declare wilful and wanton cruelty to the animals comprehended in it to be a misdemeanor, looking, as I now do, to the Commons to enforce the sanction of the law by pecuniary penalties. But then the grand efficacious principle would have been obscured ; which, if fortunately adopted by your lordships, will enact this law as a spontaneous rule in the mind of every man who reads it—which will make every human bosom a sanctuary against cruelty—which will extend the influence of a British statute beyond even the vast bounds of British jurisdiction ; and consecrate, perhaps, in all nations, and in all ages, that just and eternal principle, which binds the whole living world in one harmonious chain, under the dominion of enlightened man, the lord and governor of all.

I will now read to your lordships the preamble as I have framed it.

“Whereas, it has pleased Almighty God to subdue to the dominion, use, and comfort of man, the strength and faculties of many useful animals, and to provide others for his food ; and whereas the abuse of that dominion, by cruel and oppressive treatment of such animals, is not only highly unjust and immoral, but most pernicious in its example, having an evident tendency to harden the heart against the natural feelings of humanity.”

This preamble may be objected to as too solemn and unusual in its language ; but it must be recollected, that the subject of the bill is most peculiar and unusual ; and it being impossible to give practicable effect to the principle in its full extent, it became the more necessary, in creating a duty of imperfect obligation, where legal restraints would be inefficacious or impossible, to employ language calculated to make the deepest impression upon the human mind, so as to produce, perhaps, more than the effect of law, where the ordinary sanctions of law were wanting.

It may be now asked, my lords, why, if the principle of the bill be justly unfolded by this preamble, the enacting part falls so very short of protecting the whole animal world, or at all events those parts of it which come within the reach of man, and which may be subject to abuse? To that I answer—It does protect them to a certain degree, by the very principle which I have been submitting to your consideration, and to protect them further would be found to be attended with insurmountable difficulties, and the whole bill might be wrecked by an impracticable effort to extend it. But I shall be happy to follow others in the attempt. The bill, however, as it regards all animals, creates a duty of imperfect obligation; and your lordships are very well aware, that there are very many and most manifest and important moral duties, the breaches of which human laws cannot practically deal with, and this I fear will be found to be the case in the subject now under consideration.

Animals living in a state of nature, would soon overrun the earth, and eat up and consume all the sustenance of man, if not kept down by the ordinary pursuits and destruction of them, by the only means in which they can be kept down and destroyed; and it is remarkable, that other animals have been formed by Nature, with most manifest instincts to assist us in this necessary exercise of dominion; and, indeed, without the act of man, these animals would themselves prey upon one another, and thus be visited by death, the inevitable lot of all created things, in more painful and frightful shapes. They have, besides, no knowledge of the future, and their end, when appropriated fitly for our food, is without prolonged suffering. This economy of Providence, as it regards animals, which from age to age have lived in an unreclaimed state, devoted to the use of man and of each other, may serve to reconcile the mind to that mysterious state of things in the present fallen and imperfect condition of the world.

This state of wild animals is further strikingly illustrated, by the view of such of them as have been spared from the human hunter, or the more numerous tribes of animals of prey. They are swept away by the elements in hard winters, retiring as most of them do to a solitary, protracted, and painful death.

Old age, my lords, even amongst men, is but a rare blessing ; amongst such brutes, perhaps, never. Old age can only be supported in comfort by that aid and tenderness from others, arising from the consciousness of those ties of nature, which it has not pleased the Divine Providence to dispense to the lower world ; but which, as the greatest of all blessings, it has communicated to man. When the brutes have fulfilled their duties to their young for their protection, they know them no more, and die of old age, or cold, or hunger, in view of one another, without sympathy or mutual assistance, or comfort.

It is the same, to a certain extent, with regard to those reclaimed animals devoted to man's use for food, whose faculties, as far as our observation is capable of a just comparison, approach nearer to human reason. The old age even of such animals, for the reasons adverted to, would seldom be satisfactory. When they pass, therefore, from life to death, in a manner which gives them no foretaste of their doom, and consequently no sense of pain or sorrow in the road to it, the ways of God are justified to man.

The bill, therefore, as it regards wild animals, could not easily have been framed for practicable operation, except by sanctioning as it does the principle of the preamble, which will, I trust, insensibly extend its influence to the protection of everything that has life ; by bringing habitually into the view of the mind the duties of imperfect obligation which it inculcates ; and with regard to animals bred by man, or reclaimed for food, it will directly protect them against the cruelties which are generally committed on them, viz., the unmercifully driving them and beating them on their passage to fairs and markets, and against unnecessary sufferings in the hour of death.

As to the tendency of barbarous sports of any kind or description whatsoever, to nourish the national characteristic of manliness and courage, the only shadow of argument I ever heard upon such occasions, all I can say is this : that, from the mercenary battles of the lowest of beasts (viz. human boxers) up to those of the highest and noblest that are tormented by man for his degrading pastime, I enter this public protest against it. I never knew a man remarkable for heroic bravery, whose very aspect was

not lighted up by gentleness and humanity ; nor a kill-him and eat-him countenance, that did not cover the heart of a bully, or a poltroon.

As to other reclaimed animals, which are not devoted to our use as food, but which are most wonderfully organized to assist man in the cultivation of the earth, and by their superior activity and strength, to lessen his labor in the whole circle of his concerns, different protections become necessary, and they are also provided for by the bill, and without the loss or abridgment of any one right of property in such animals. On the contrary, all its provisions protect them, as property, from the abuses of those to whose care and government their owners are obliged to commit them. They also reach the owners themselves, if, from an inordinate desire of gain, or other selfish considerations, they *abuse* the animals, their property in which is limited to the *use*.

It would be wasting your lordships' time, if I were to enumerate the probable cases which this part of the bill will comprehend. It is well observed by an Italian philosopher, "that no man desires to hear what he has already seen." Your lordships cannot have walked the streets, or travelled on the roads, without being perfectly masters of this part of the subject. You cannot but have been almost daily witnesses to most disgusting cruelties practised upon beasts of carriage and burthen, by the violence and brutality of their drivers. To distinguish such brutality and criminal violence, from severe, but sometimes necessary discipline, may at first view appear difficult, and on that account a serious objection to the bill ; but when I come to that part of the subject, I pledge myself to show that it involves no difficulty whatsoever. But there are other abuses far more frequent and important, which will require a more particular consideration. For one act of cruelty in servants, there are a hundred in the owners of beasts of labor and burthen, sometimes committed by the owners alone, from a scandalous desire of gain, and sometimes in a most unworthy partnership with their superiors, who are equally guilty, with no gain at all, nor for any motive that it would not be disgraceful to acknowledge. I allude, my lords, to our unhappy post-horses. It is not my wish, my lords, to be a fanciful reformer

of the world, nor to exact that the manners and customs of a highly civilized nation should be brought to the standard of simplicity and virtue, if indeed such a standard ever existed upon earth. I do not seek to appoint inspectors to examine the books of innkeepers, so as to punish any excess in the number of their stages, as you do an excess of outside passengers on the roofs of coaches. I know there are very many cases (which could not be brought strictly within the scope of necessities) where these poor animals must grievously suffer, yet where no law can properly reach to protect them. The demands, though not imminent, of human health, and even of convenience; the occasional exigencies of commerce; the exercise of franchises; and many other cases which must occur to everybody, would furnish obvious exceptions without violation of the principle, and which every court and magistrate would know how to distinguish. But the bill, if properly executed, would expose innkeepers to a reasonable punishment, who will palpably devote an innocent animal to extreme misery, if not to death itself, by a manifest and outrageous excess of labor, rather than disoblige a mere traveller, engaged in no extraordinary business, lest in future he should go to the inn opposite—when the law shall give a rule for both sides of the way, this most infamous competition will be at an end.

For my own part, my lords, I can say with the greatest sincerity to your lordships, that nothing has ever excited in my mind greater disgust, than to observe what we all of us are obliged to see every day in our lives, horses panting—what do I say! literally dying, under the scourge; when, on looking into the chaises, we see them carrying to and from London, men and women, to whom, or to others, it can be of no possible signification whether they arrive one day sooner or later, and sometimes indeed whether they ever arrive at all. More than half the post-horses that die from abuse in harness, are killed by people, who, but for the mischief I am complaining of, would fall into the class described by Mr. Sterne, of simple or harmless travellers, galloping over our roads for neither good nor evil, but to fill up the dreary blank in unoccupied life. I can see no reason, why all such travellers should not endeavor to overcome the *ennui* of their lives, without

killing poor animals, more innocent and more useful than themselves. To speak gravely, my lords, I maintain, that human idleness ought not to be permitted, by the laws of enlightened man, to tax for nothing, beyond the powers which God has given them, the animals which his benevolence has created for our assistance.

But another abuse exists, not less frequent and much more shocking, because committed under the deliberate calculation of intolerable avarice. I allude to the practice of buying up horses, when past their strength, from old age or disease, upon the computation (I mean to speak literally) of how many days' torture and oppression they are capable of living under, so as to return a profit with the addition of the flesh and skin, when brought to one of the numerous houses appropriated for the slaughter of horses. If this practice only extended to carrying on the fair work of horses to the very latest period of labor, instead of destroying them when old or disabled, I should approve, instead of condemning it. But it is most notorious, that with the value of such animals, all care of them is generally at an end, and you see them (I speak literally, and of a systematic abuse) sinking and dying under loads, which no man living would have set the same horse to, when in the meridian of his strength and youth.

This horrid abuse, my lords, which appears at first view to be incapable of aggravation, is nevertheless most shockingly aggravated, when the period arrives at which one would think cruelty must necessarily cease, when exhausted nature is ready to bestow the deliverance of death. But even then a new and most atrocious system of torture commences, of which, my lords, I could myself be a witness in your committee, as it was proved to my own perfect satisfaction, and that of my friend Mr. Jekyll, upon the information of a worthy magistrate, who called our attention to the abuse. But, perhaps, my lords, I shall better describe it, as it will at the same time afford an additional proof of these hideous practices, and of their existence at this hour, by reading a letter which I received but two days ago, the facts of which I am ready to bring in proof before your lordships.

Here Lord Erskine read an extract from a letter, which stated—

“A very general practice of buying up horses still alive, but

not capable of being even further abused by any kind of labor. These horses, it appeared, were carried in great numbers to slaughter-houses, but not killed at once for their flesh and skins, but left without sustenance, and literally starved to death, that the market might be gradually fed ;—the poor animals, in the mean time, being reduced to eat their own dung, and frequently gnawing one another's manes in the agonies of hunger."

Can there be a doubt, my lords, that all such shocking practices should be considered and punished as misdemeanors ? Here again it may be said that the bill, in this part of it, will invest magistrates with a novel and dangerous discretion. I am not yet arrived at that part of the case, though I am fast approaching it ; when I do, I pledge myself without fear, to maintain the contrary, to the satisfaction of every one of your lordships, more especially including the learned lords of the house. No less frequent and wicked an abuse, is the manifest overloading of carriages and animals of burthen, particularly asses ; and as far as this poor animal is unjustly considered an emblem of stupidity, the owners who thus oppress him are the greater asses of the two. The same may be said of keeping animals without adequate food to support their strength, or even their existence—this frequently happens to beasts impounded for trespasses ; I have had complaints of this abuse from all parts of the country. The notice to the owner is seldom served, and thus the poor innocent animal is left to starve in the pound. As far as an animal is considered merely as property, this may be all very well, and the owner must find him out at his peril ; but when the animal is looked to upon the principle of this bill, the impounder ought to feed him, and charge it to the owner as part of the damages.

Only one other offence remains, which I think it necessary to advert to, which it is difficult sufficiently to expose and stigmatize, from the impudence with which it is every day committed ; as if the perpetrators of this kind of wickedness were engaged in something extremely entertaining and innocent, if not meritorious. I allude to those extravagant bets for trying the strength and endurance of horses ; not those animating races, properly so called, which the horse really enjoys, and which, though undoubtedly at

tended with collateral evils, has tended greatly to improve the breed of that noble and useful animal. The contests which I consider as wilful and wanton cruelty, are of a different kind: I maintain, that no man, without being guilty of that great crime, can put it upon the uncertain and mercenary die, whether in races against time—no—not properly so called, but rather journeys of great distances within limited periods, the exertions shall very far exceed the ordinary power which nature has bestowed on the unhappy creature, thus wickedly and inhumanly perverted from the benevolent purposes of their existence.

All the observations I have just been making to your lordships, undoubtedly apply to the maliciously tormenting any animal whatsoever, more especially animals which we have voluntarily reclaimed and domesticated; and yet I fairly own to your lordships, that as the bill was originally drawn, and as it stood until a few days ago, it would not have reached many shameful and degrading practices. The truth is, that I was afraid to run too rapidly and directly against prejudices. But, on conversing with very enlightened and learned men, I took courage in my own original intention, and introduced the concluding clause, which comprehended the wickedly and wantonly tormenting any reclaimed animal; the effect of which in practice, I will explain hereafter, when I come to show the practicability of executing the law without trespassing upon the just rights and privileges of mankind. If your lordships, however, shall ultimately differ from me in this part of the subject, you can strike out this clause in the committee. I have purposely kept it quite distinct and separate from the rest of the bill, as I originally framed it, being resolved to carry an easy sail at first, for fear of oversetting my vessel, in a new and dangerous navigation.

I now come, my lords, to the second part of the case, which will occupy but a small portion of your lordship's time, on which I am afraid I have trespassed but too long already.

Supposing, now, your lordships to be desirous of subscribing to the principles I have opened to you, and to feel the propriety of endeavoring to prevent, as far as possible, the inhuman cruelties practised upon animals, so general and so notorious, as to rende.

a more particular statement of them as unnecessary as it would have been disgusting : the main question will then arise, viz., how the jurisdiction erected by this bill, if it shall pass into a law, may be executed by courts and magistrates, without investing them with a new and arbitrary discretion.

My lords, I feel the great importance of this consideration, and I have no desire to shrink from it ; on the contrary, I invite your lordships to the closest investigation of it, and for that purpose I will myself anticipate every possible objection of that description, and give your lordships, in a very few words, the most decisive answers to them.

How, it may be first asked, are magistrates to distinguish between the justifiable labors of the animal, which from man's necessities are often most fatiguing, and apparently excessive, and that real excess which the bill seeks to punish as wilful, wicked, and wanton cruelty ? How are they to distinguish between the blows which are necessary, when beasts of labor are lazy or refractory, or even blows of sudden passion and temper, from deliberate, cold-blooded, ferocious cruelty, which we see practised every day we live, and which has a tendency, as the preamble recites, to harden the heart against all the impulses of humanity ?

How, in the same manner, are they to distinguish between the fatigues and sufferings of beasts for slaughter, in their melancholy journeys to death in our markets, from unnecessary, and therefore barbarous, aggravations of them ?

Here, my lords, I am at home :—here I know my course so completely, that I can scarcely err. I am no speculator upon the effect of the law which I propose to you, as the wisest legislators must often be, who are not practically acquainted with the administration of justice. Having passed my life in our courts of law with the greatest judges, and with the ablest advocates, who from time to time have since added to their number, I know with the utmost precision, the effect of it in practice, and I pledge myself to your lordships, that the execution of the bill, if it passes into law, will be found to be most simple and easy ; raising up no new principles of law, and giving to courts no larger discretion nor

more difficult subjects for judgment, than they are in the constant course of exercising.

First of all, my lords, the law I propose to your lordships is not likely to be attended with abuse in prosecution ; a very great, but I am afraid an incurable evil in the penal code. I stimulate no mercenary informers, which I admit often to be necessary to give effect to criminal justice ; I place the lower creation entirely on the genuine unbought sympathies of man.

No one is likely to prosecute by indictment, or to carry a person before a magistrate, without probable, or rather without obvious and flagrant cause, when he can derive no personal benefit from the prosecution, nor carry it on without trouble and expense. The law is, therefore, more open to the charge of inefficacy, than of vexation.

It can indeed have no operation, except when compassionate men (and I trust they will become more numerous from the moral sense which this bill is calculated to awaken) shall set the law in motion against manifest and disgusting offenders, to deliver themselves from the pain and horror which the immediate views of wilful and wanton cruelty is capable of exciting, or is rather sure to excite, in a generous nature.

What possible difficulty, then, can be imposed upon the magistrate, who has only to judge upon hearing, from his own humane feelings, what such disinterested informers have judged of from having seen and felt ? The task is surely most easy, and by no means novel. Indeed, the whole administration of law, in many analogous cases, consists in nothing else but in discriminations, generally more difficult in cases of personal wrongs.

Cruelty to an apprentice, by beating or over-labor, is judged of daily upon the very principle which this bill will bring into action in the case of an oppressed animal.

To distinguish the severest discipline, to command obedience, and to enforce activity in such dependents, from brutal ferocity and cruelty, never yet puzzled a judge or a jury, never at least in my very long experience ; and when want of sustenance is the complaint, the most culpable over-frugality is never confounded with a wicked and malicious privation of food.

The same distinctions, occur frequently upon the plea of moderate chastisement, when any other servant complains of his master or when it becomes necessary to measure the degree of violence, which is justifiable in repelling violence, or in the preservation of rights.

In the same manner, the damage from a frivolous assault or of a battery, the effect of provocation or sudden temper, is daily distinguished in our courts, from a severe and cold-blooded outrage. A hasty word, which just conveys matter that is actionable, is, in the same manner, distinguished in a moment from malignant and dangerous slander. Mistakes in the extent of authority, which happen every day in the discharge of the complicated duties of the magistracy, are never confounded for a moment, even when they have trenched severely upon personal liberty, with an arbitrary and tyrannous imprisonment. Unguarded or slight trespasses upon property, real or personal, are in the same way the daily subjects of distinction from malicious deprivations of rights, or serious interruptions of their enjoyment.

Similar, or rather nicer distinctions, are occurring daily in our courts—when libel or no libel is the question. A line must be drawn between injurious calumny, and fair, though perhaps unpleasant animadversion; but plain good sense, without legal subtlety, is sure to settle it with justice—so every man may enjoy what is his own, but not to the injury of his neighbor. What is an injury, or what only a loss, without being injurious, is the question in all cases of nuisance, and they are satisfactorily settled by the common understandings and feelings of mankind.

My lords, there would be no end of these analogies, if I were to pursue them; I might bring my whole professional life, for near thirty years, in review before your lordships.

I appeal to the learned lords of the house, whether these distinctions are not of daily occurrence. I appeal to my noble and learned friend on the woolsack, whether, when he sat as chief justice of the Common Pleas, he found any difficulty in these distinctions. I appeal to my noble and learned friend who sits just by him, whose useful and valuable life is wholly occupied amidst these questions, whether they are doubtful and dangerous

in the decision, and whether they are not precisely in point with the difficulties which I have anticipated, or with any others which opponents to the bill can possibly anticipate. I make a similar appeal to another noble and learned friend, who has filled the highest situation; I do not see him at this moment in his place, but to him also I might make the same fearless application.

I cannot, therefore, conceive a case on which a magistrate would be exposed to any difficulty under this bill, if it should pass into a law.

The cruelties which I have already adverted to, are either committed by owners, or by servants, charged with the care and government of horses and other cattle. If the owner unmercifully directs them to be driven to most unreasonable distances, or with burthens manifestly beyond their powers: if he buys them up when past the age of strength, not for a use correspondent to their condition, but upon the barbarous and wicked computation of how long they can be tortured to profit; in neither of these cases can the cruelty be imputed to the servant whom you meet upon the road, struggling to perform the unjust commands of his employer. The master is the obvious culprit—respondent superior—the spectators and the servant are the witnesses—and these are the cases where an indictment would operate as a most useful example, without oppression, to those who thus offend systematically against every principle of humanity and justice.

On the other hand, when no cruel commands are given to the servant, but his own malice offends at once against his master and the unhappy animal which he wickedly abuses, he of course is alone responsible; and these are the cases in which a summary jurisdiction would be most generally resorted to, as more favorable at once to the disinterested informer and to the offender, who would be thus punished with a small penalty, and be delivered from an expensive prosecution.

The other House of Parliament will no doubt accomplish this in the further progress of the bill.

But in neither of these cases, which comprehend, indeed, every abuse which the bill extends to, is there any kind of danger that it will work oppression, or produce uncertainty in decision.

A man cannot, if an owner, be the subject of an indictment, because he may have been less considerate and merciful than he ought to be; nor, if a servant, for an unreasonable blow of temper upon an unmanageable charge. No, my lords! Every indictment or information before a magistrate must charge the offence to be committed maliciously, and with wanton cruelty, and the proof must correspond with the charge. This bill makes no act whatever a misdemeanor that does not plainly indicate to the court or magistrate a malicious and wicked intent; but this generality is so far from generating uncertainty, that I appeal to every member in our great profession, whether, on the contrary, it is not in favor of the accused, and analogous to our most merciful principles of criminal justice? So far from involving the magistrate in doubtful discriminations, he must be himself shocked and disgusted before he begins to exercise his authority over another. He must find malicious cruelty; and what that is can never be a matter of uncertainty or doubt, because nature has erected a standard in the human heart, by which it may be surely ascertained.

This consideration surely removes every difficulty from the last clause, which protects from wilful, malicious, and wanton cruelty, all reclaimed animals. Whatever may be the creatures which, by your own voluntary act, you choose to take from the wilds which nature has allotted to them, you must be supposed to exercise this admitted dominion for use, or for pleasure, or from curiosity. If for use, enjoy that use in its plenitude; if the animal be fit for food, enjoy it decently for food; if for pleasure, enjoy that pleasure, by taxing all its faculties for your comfort; if for curiosity, indulge it to the full. The more we mix ourselves with all created matter, animate or inanimate, the more we shall be lifted up to the contemplation of God. But never let it be said, that the law should indulge us in the most atrocious of all propensities, which, when habitually indulged in, on beings beneath us, destroy every security of human life, by hardening the heart for the perpetration of all crimes.

The times in which we live, my lords, have read us an awful lesson upon the importance of preserving the moral sympathies.

We have seen that the highest state of refinement and civilization will not secure them. I solemnly protest against any allusion to the causes of the revolutions which are yet shaking the world, or to the crimes or mistakes of any individuals in any nation; but it connects itself with my subject to remark, that even in struggles for human rights and privileges, sincere and laudable as they occasionally may have been, all human rights and privileges have been trampled upon, by barbarities far more shocking than those of the most barbarous nations, because they have not merely extinguished natural unconnected life, but have destroyed (I trust only for a season) the social happiness and independence of mankind, raising up tyrants to oppress them all in the end, by beginning with the oppression of each other. All this, my lords, has arisen from neglecting the cultivation of the moral sense, the best security of states, and the greatest consolation of the world.

My lords, I will trouble your lordships no longer than with admitting, for the sake of the argument, that there may be cases, especially in the beginning, where the execution of the bill may call for the exercise of high judicial consideration, through the dignity and learning of the supreme court of criminal jurisdiction. And here I cannot help saying, that it adds greatly to the security I feel upon this part of the subject, that when the bill shall have received the sanction of parliament, it will be delivered over to my noble and learned friend, who presides so ably in the Court of King's Bench. From his high authority, the inferior magistrates will receive its just interpretation, and, from his manly and expressive eloquence, will be added, a most useful inculcation of its obligations: for I must once again impress upon your lordships' minds, the great, the incalculable effect of wise laws, when ably administered, upon the feelings and morals of mankind. We may be said, my lords, to be in a manner new created by them—Under the auspices of religion, in whose steps they must ever tread, to maintain the character of wisdom, they make all the difference between the savages of the wilderness, and the audience I am now addressing. The cruelties which we daily deplore, in children and in youth, arise from defect in education, and that defect in education, from the very defect in the law, which I ask your lordships

to remedy. From the moral sense of the parent re-animated, or rather in this branch created by the law, the next generation will feel, in the first dawn of their ideas, the august relation they stand in to the lower world, and the trust which their station in the universe imposes on them; and it will not be left to a future Sterne to remind us, when we put aside even a harmless insect, that the world is large enough for both. This extension of benevolence to objects beneath us, becomes habitual by a sense of duty inculcated by law, will reflect back upon our sympathies to one another, so that I may venture to say firmly to your lordships, that the bill I propose to you, if it shall receive the sanction of parliament, will not only be an honor to the country, but an era in the history of the world.

ERSKINE ON THE FEDERAL CONSTITUTION.

GENTLEMEN, we all but too well remember the calamitous situation in which our country stood but a few years ago; a situation which no man can look back upon without horror, nor feel himself safe from relapsing into again, while the causes remain which produced it. The event I allude to, you must know to be the American war, and the still existing causes of it, the corruptions of this government. In those days it was not thought virtue by the patriots of England to conceal the existence of them from the people; but then, as now, authority condemned them as disaffected subjects, and defeated the ends they sought by their promulgation.

The consequences we have all seen and felt: America, from an obedient, affectionate colony, became an independent nation; and two millions of people nursed in the very lap of our monarchy, became the willing subjects of a republican constitution.

Gentlemen, in that great and calamitous conflict, Edmund Burke and Thomas Paine fought in the same field of reason together; but with very different successes. Mr. Burke spoke to a Parliament in England, having no ears but for sounds that flattered its corruptions. Mr. Paine, on the other hand, spoke

TO A PEOPLE; reasoned with them,—told them they were bound by no subjection to any sovereignty, farther than their own benefit connected them; and by these powerful arguments prepared the minds of the American people for that glorious, just, and happy revolution.

Gentlemen, I have a right to distinguish it by these epithets, because I aver that at this moment there is as sacred a regard to property; as inviolable a security to all the rights of individuals; lower taxes; fewer grievances; less to deplore, and more to admire, in the constitution of America, than that of any other country under heaven. I wish indeed to except our own, but I cannot even do that, till it shall be purged of those abuses which, though they obscure and deform the surface, have not as yet, thank God, destroyed the vital parts.

ERSKINE ON THE LIBERTY OF THE PRESS.

It now only remains to remind you, that another consideration has been strongly pressed upon you, and, no doubt, will be insisted on in reply.—You will be told, that the matters which I have been justifying as legal, and even meritorious, have therefore not been made the subject of complaint; and that whatever intrinsic merit parts of the book may be supposed or even admitted to possess, such merit can afford no justification to the selected passages, some of which, even with the context, carry the meaning charged by the information, and which are indecent animadversions on authority. To this I would answer (still protesting as I do against the application of any one of the innuendoes), that if you are firmly persuaded of the singleness and purity of the author's intentions, you are not bound to subject him to infamy, because, in the zealous career of a just and animated composition, he happens to have tripped with his pen into an intemperate expression in one or two instances of a long work. If this severe duty were binding on your consciences, the liberty of the press would be an empty sound, and no man could venture to write on

any subject, nowever pure his purpose, without an attorney at one elbow, and a counsel at the other.

From minds thus subdued by the terrors of punishment, there could issue no works of genius to expand the empire of human reason, nor any masterly compositions on the general nature of government, by the help of which the great commonwealth of mankind have founded their establishments; much less any of those useful applications of them to critical conjunctures, by which, from time to time, our own constitution, by the exertion of patriot citizens, has been brought back to its standard.—Under such terrors, all the great lights of science and civilization must be extinguished: for men cannot communicate their free thoughts to one another with a lash held over their heads. It is the nature of everything that is great and useful, both in the animate and inanimate world, to be wild and irregular,—and we must be contented to take them with the alloys which belong to them, or live without them. Genius breaks from the fetters of criticism, but its wanderings are sanctioned by its majesty and wisdom, when it advances in its path;—subject it to the critic, and you tame it into dulness. Mighty rivers break down their banks in the winter, sweeping away to death the flocks which are fattened on the soil that they fertilize in the summer: the few may be saved by embankments from drowning, but the flock must perish for hunger.—Tempests occasionally shake our dwellings, and dissipate our commerce; but they scourge before them the lazy elements, which without them would stagnate into pestilence.—In like manner, Liberty herself, the last and best gift of God to his creatures, must be taken just as she is:—you might pare her down into bashful irregularity, and shape her into a perfect model of severe, scrupulous law, but she would then be Liberty no longer; and you must be content to die under the lash of this inexorable justice which you had exchanged for the banners of Freedom.

If it be asked where the line to this indulgence and impunity is to be drawn; the answer is easy.—The liberty of the press *on general subjects* comprehends and implies as much strict observance of positive law as is consistent with perfect purity of inten-

tion, and equal and useful society ; and what that latitude is, cannot be promulgated in the abstract, but must be judged of in the particular instance, and consequently, upon this occasion, must be judged of by you, without forming any possible precedent for any other case :—and where can the judgment be possibly so safe as with the members of that society which alone can suffer if the writing is calculated to do mischief to the public ? You must therefore try the book by that criterion, and say, whether the publication was premature and offensive, or, in other words, whether the publisher was bound to have suppressed it until the public ear was anticipated and abused, and every avenue to the human heart or understanding, secured and blocked up ?

One word more, gentlemen, and I have done.—Every human tribunal ought to take care to administer justice, as we look hereafter to have justice administered to ourselves.—Upon the principle on which the Attorney General prays sentence upon my client—God have mercy upon us !—Instead of standing before him in judgment with the hopes and consolations of Christians, we must call upon the mountains to cover us ; for which of us can present for omniscient examination, a pure, unspotted, and faultless course ? But I humbly expect that the benevolent Author of our being will judge us as I have been pointing out for your example.—Holding up the great volume of our lives in his hands, and regarding the general scope of them :—if he discovers benevolence, charity, and good-will to man beating in the heart, where he alone can look ;—if he finds that our conduct, though often forced out of the path by our infirmities, has been in general well directed ; his all-searching eye will assuredly never pursue us into those little corners of our lives, much less will his justice select them for punishment, without the general context of our existence, by which faults may be sometimes found to have grown out of virtues, and very many of our heaviest offences to have been grafted by human imperfection upon the best and kindest of our affections. No, gentlemen, believe me, this is not the course of divine justice, or there is no truth in the Gospels of Heaven.—If the general tenor of a man's conduct be such as I have represented it, he may walk through the shadow of death, with all his faults

about him, with as much cheerfulness as in the common paths of life: because he knows, that instead of a stern accuser to expose before the Author of his nature those frail passages, which, like scored matter in the book before you, chequers the volume of the brightest and best-spent life, his mercy will obscure them from the eye of his purity, and our repentance blot them out forever.

All this would, I admit, be perfectly foreign and irrelevant, if you were sitting here in a case of property between man and man, where a strict rule of law must operate, or there would be an end of civil life and society. It would be equally foreign, and still more irrelevant, if applied to those shameful attacks upon private reputation which are the bane and disgrace of the press; by which whole families have been rendered unhappy during life, by aspersions cruel, scandalous, and unjust. Let such libellers remember, that no one of my principles of defence, can at any time, or upon any occasion, ever apply to shield them from punishment; because such conduct is not only an infringement of the rights of man, as they are defined by strict law, but is absolutely incompatible with honor, honesty, or mistaken good intention. On such men let the attorney-general bring forth all the artillery of his office, and the thanks and blessings of the whole public will follow him.

ERSKINE'S ADDRESS TO THE JURY ON THE TRIAL OF HARDY.

GENTLEMEN, my whole argument then amounts to no more than this, that before the crime of compassing THE KING'S DEATH can be found *by you*, the jury, whose province it is to judge of its existence, it must be *believed* by you to have existed in point of fact. Before you can adjudge a fact, you must *believe* it—not suspect it, or imagine it, or fancy it,—BUT BELIEVE IT—and it is impossible to impress the human mind with such a reasonable and certain belief, as is necessary to be impressed, before a Christian man can adjudge his neighbor to the smallest penalty, much less to the pains of death, without having such evidence as a reason-

able mind will accept of as the infallible test of truth. And what is that evidence?—Neither more nor less than that which the constitution has established in the courts for the general administration of justice; namely, that the evidence convinces the jury, beyond all reasonable doubt, that the criminal *intention*, constituting the crime, existed in the mind of the man upon trial, and was the main spring of his conduct. The rules of evidence, as they are settled by law, and adopted in its general administration, are not to be overruled or tampered with. They are founded in the charities of religion; in the philosophy of nature; in the truths of history, and in the experience of common life; and whoever ventures rashly to depart from them, let him remember that it will be meted to him in the same measure, and that both God and man will judge him accordingly. These are arguments addressed to your reasons and consciences, not to be shaken in upright minds by any precedent, for no precedents can sanctify injustice; if they could, every human right would long ago have been extinct upon the earth. If the state trials in bad times are to be searched for precedents, what murders may you not commit;—what law of humanity may you not trample upon;—what rule of justice may you not violate;—and what maxim of wise policy may you not abrogate and confound? If precedents in bad times are to be implicitly followed, why should we have heard any evidence at all? You might have convicted, without any evidence, for many have been so convicted, and in this manner murdered, even by acts of parliament. If precedents in bad times are to be followed, why should the Lords and Commons have investigated these charges, and the Crown have put them into this course of judicial trial?—since, without such a trial, and even after an acquittal upon one,—they might have attainted all the prisoners by act of parliament;—they did so in the case of Lord Strafford. There are precedents, therefore, for all such things:—but such precedents as could not for a moment survive the times of madness and distraction, which gave them birth, but which, as soon as the spurs of the occasions were blunted, were repealed, and execrated even by parliaments which (little as I may think of the present) ought not to be compared with it: parliaments sitting in the darkness of former times,—in the night

of freedom,—before the principles of government were developed, and before the constitution became fixed. The last of these precedents, and all the proceedings upon it, were ordered to be taken off the file and burnt, to the intent that the same might no longer be visible in after ages; an order dictated, no doubt, by a pious tenderness for national honor, and meant as a charitable covering for the crimes of our fathers. But it was a sin against posterity; it was a treason against society,—for, instead of commanding them to be burnt, they should rather have directed them to be blazoned in large letters upon the walls of our courts of justice, that, like the characters deciphered by the prophet of God, to the eastern tyrant, they might enlarge and blacken in your sights, to terrify you from acts of injustice.

In times, when the whole habitable earth is in a state of change and fluctuation,—when deserts are starting up into civilized empires around you,—and when men, no longer slaves to the prejudices of particular countries, much less to the abuses of particular governments, enlist themselves, like the citizens of an enlightened world, into whatever communities their civil liberties may be best protected; it never can be for the advantage of this country to prove, that the strict, unextended letter of her laws, is no security to its inhabitants; on the contrary, when so dangerous a lure is everywhere holding out to emigration, it will be found to be the wisest of Great Britain to set up her happy constitution,—the strict letter of her guardian laws, and the proud condition of equal freedom, which her highest and her lowest subjects ought equally to enjoy;—it will be her wisest policy to set up these first of human blessings against those charms of change and novelty which the varying condition of the world is hourly displaying, and which may deeply affect the population and prosperity of our country. In times, when the subordination to authority is said to be everywhere but too little felt, it will be found to be the wisest policy of Great Britain, to instil into the governed an almost superstitious reverence for the strict security of the laws; which, from their equality of principle, beget no jealousies or discontent;—which, from their equal administration, can seldom work injustice: and which, from the reverence growing out of their mildness

and antiquity, acquire a stability in the habits and affections of men, far beyond the force of civil obligation :—whereas severe penalties, and arbitrary constructions of laws intended for security, lay the foundations of alienation from every human government, and have been the cause of all the calamities that have come, and are coming upon the earth.

Gentlemen, what we read of in books makes but a faint impression upon us, compared to what we see passing under our eyes in the living world. I remember the people of another country, in like manner, contending for a renovation of their constitution, sometimes illegally and turbulently, but still devoted to an honest end ;—I myself saw the people of Brabant so contending for the ancient constitution of the good Duke of Burgundy ;—how was this people dealt by ? All, who were only contending for their own rights and privileges, were supposed to be of course disaffected to the emperor :—they were handed over to courts constituted for the emergency, as this is, and the emperor marched his army through the country till all was peace ;—but such peace as there is in Vesuvius, or *Ætna*, the very moment before they vomit forth their lava, and roll their conflagrations over the devoted habitations of mankind :—when the French approached, the fatal effects were suddenly seen of a government of constraint and terror ;—the well-affected were dispirited, and the disaffected inflamed into fury. At that moment the Archduchess fled from Brussels, and the Duke of Saxe-Teschen was sent express to offer the *joyeuse entrée* so long petitioned for in vain : but the season of concession was past ;—the storm blew from every quarter,—and the throne of Brabant departed forever from the House of Burgundy. Gentlemen, I venture to affirm, that, with other councils, this fatal prelude to the last revolution in that country, might have been averted :—if the emperor had been advised to make the concessions of justice and affection to his people, they would have risen in a mass to maintain their prince's authority, interwoven with their own liberties ; and the French, the giants of modern times, would, like the giants of antiquity, have been trampled in the mire of their own ambition. In the same manner, a far more splendid and important crown passed away from his majesty's illustrious

brows :—THE IMPERIAL CROWN OF AMERICA. The people of that country too, for a long season, contended as subjects, and often with irregularity and turbulence, for what they felt to be their rights : and, O gentlemen ! that the inspiring and immortal eloquence of that man, whose name I have so often mentioned, had then been heard with effect !—what was his language to this country when she sought to lay burdens on America,—not to support the dignity of the crown, or for the increase of national revenue, but to raise a fund for the purpose of corruption ;—a fund for maintaining those tribes of hireling skipjacks, which Mr. Tooke so well contrasted with the hereditary nobility of England ! Though America would not bear this imposition, she would have borne any useful or constitutional burden to support the parent state. “For that service, for all service,” said Mr. Burke, “whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your governments, they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another ; that these two things may exist without any mutual relation ; the cement is gone ; the cohesion is loosened ; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces toward you. The more they multiply, the more friends you will have ; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly.

This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Is it not the same virtue which does everything for us here in England? Do you imagine then, that it is the land-tax which raises your revenue? that it is the annual vote in the committee of supply, which gives you your army? Or that it is the mutiny bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber."

Gentlemen, to conclude—My fervent wish is that we may not conjure up a spirit to destroy ourselves, nor set the example here of what in another country we deplore.—Let us cherish the old and venerable laws of our forefathers.—Let our judicial administration be strict and pure; and let the jury of the land preserve the life of a fellow-subject, who only asks it from them upon the same terms under which they hold their own lives, and all that is dear to them and to their posterity forever.—Let me repeat the wish with which I began my address to you, and which proceeds from the very bottom of my heart;—may it please God, who is the Author of all mercies to mankind, whose providence, I am persuaded, guides and superintends the transactions of the world, and whose guardian spirit has forever hovered over this prosperous island, to direct and fortify your judgments. I am aware, I have not acquitted myself to the unfortunate man, who has put his trust in me, in the manner I could have wished; yet I am unable to proceed any further; exhausted in spirit and strength, but confident in the expectation of justice.—There is one thing more, however, that (if I can) I must state to you, namely, that I will show, by as many witnesses as it may be found necessary or convenient for you to hear upon the subject, that the views of the societies were what I have alleged them to be;—that whatever irregularities or indiscretions they might have committed, their purposes were honest;—and that Mr. Hardy's, above all other

men, can be established to have been so. I have, indeed, an honorable gentleman (Mr. Francis) in my eye, at this moment, to be called hereafter as a witness, who being desirous in his place, as a member of parliament, to promote an inquiry into the seditious practices complained of, Mr. Hardy offered himself voluntarily to come forward, proffered a sight of all the papers, which were afterwards seized in his custody, and tendered every possible assistance to give satisfaction to the laws of his country, if found to be offended. I will show likewise his character to be religious, temperate, humane, and moderate, and his uniform conduct all that can belong to a good subject, and an honest man.—When you have heard this evidence, it will, beyond all doubt, confirm you in coming to the conclusion which, at such great length (for which I entreat your pardon), I have been endeavoring to support.

GRATTAN CONCERNING TITHES.

It has been said, in defence of clerical exactions, that though sometimes exorbitant, they have never been illegal. I deny it; and will produce proof at your bar, that exactions in some of the disturbed parts have been not exorbitant only, but illegal likewise. I will prove that, in many instances, tithe has been demanded, and paid for turf, that tithe of turf has been assessed at one or two shillings a house, like hearth-money; and in addition to hearth-money, with this difference, that in case of hearth-money, there is an exemption for the poor of a certain description; but here, it is the poor of the poorest order, that is, the most resistless people, who pay. I will prove to you, that men have been excommunicated by a most illegal sentence, for refusing to pay tithe of turf. I have two decrees in my hand from the Vicarial Court of Clyne; the first excommunicating one man, the second excommunicating four men, most illegally, most arbitrarily, for refusing to pay tithe of turf: nor has the tithe of turf, without pretence of law or custom, been a practice only; but in some part of the South, it has been a formed exaction with its own distinct and

acetious appellation, the familiar denomination of smoak-money. A right to tithe of turf has been usurped against law, and a legislative power of commutation has been exercised, I suppose for familiarity of appellation and facility of collection.

The exactions of the tithe-proctor are another instance of illegality—he gets, he exacts, he extorts from the parishioners, in some of the disturbed parishes, one, frequently two shillings in the pound. The clergyman's agent is then paid by the parish, and paid extravagantly. The landlord's agent is not paid in this manner; your tenants don't pay your agent ten per cent. or five per cent. or any per centage at all. What right has the clergyman to throw his agent on his parish? As well might he make them pay the wages of his butler, or his footman, or his coachman, or his postillion, or his cook.

This demand, palpably illegal, must have commenced in bribery—an illegal perquisite growing out of the abuse of power—a bribe for mercy;—as if the tithe-proctor was the natural pastoral protector of the property of the peasant, against the possible oppressions of the law, and the exactions of the gospel. He was supposed to take less than his employer would exact, or the law would allow; and was bribed by the sweat of the poor for his perfidy and mercy. This original bribe has now become a stated perquisite; and, instead of being payment for moderation, it is now a per centage on rapacity. The more he extorts for the parson, the more he shall get for himself.

Are there any decent clergymen who will defend such a practice? Will they allow that the men they employ are ruffians, who would cheat the parson, if they did not plunder the poor; and that the clerical remedy against connivance, is to make the poor pay a premium for the increase of that plunder and exaction of which they themselves are the objects?

I excuse the tithe-proctor; the law is in fault, which gives great and summary powers to the indefinite claims of the Church, and suffers both to be vested in the hands, not only of the parson, but of a wretch who follows his own nature, when he converts authority into corruption, and law into peculation.

I have seen a catalogue of some of their charges; so much for

potatoes ; so much for wheat ; so much for oats ; so much for hay—all exorbitant ; and after a long list of unconscionable demands for the parson, comes in a peculation for the proctor : two shillings in the pound for proctorage—that is, for making a charge, for whose excess and extravagance the proctor ought not to have been paid, but punished.

As to potatoes, the clergyman ought not to proceed with reference to the produce, but the price of labor : in the parts of which I have been speaking, the price of labor is not more than 5*d.* a day the year round ; that is, £6 4*s.* the year ; supposing the laborer to work every day but Sunday, making an allowance for sickness, broken weather, and holidays, you should strike off more than a sixth : he has not in fact more than £5 a year by his labor ; his family average about five persons, nearer six, of whom the wife may make something by spinning (in these parts of the country, there are considerable manufactories). Five pounds a year, with the wife's small earnings, is the capital to support such a family, and pay rent and hearth-money, and in some cases of illegal exaction, smooke-money to the parson.—When a gentleman of the church of Ireland comes to a peasant so circumstanced, and demands 12*s.* or 16*s.* an acre for tithe of potatoes—he demands a child's provision—he exacts contribution from a pauper—he gleans from wretchedness—he leases from penury—he fattens on hunger, raggedness, and destitution. In vain shall he state to such a man the proctor's valuation, and inform him that an acre of potatoes, well tilled, and in good ground, should produce so many barrels ; that each barrel, at the market price, is worth so many shillings, which, after allowing for digging, tithes at so much.

The peasant may answer this reasoning by the Bible ; he may set up against the tithe-proctor's valuation, the New Testament—the precepts of Christ against the clergyman's arithmetic ; the parson's spiritual professions against his temporal exactions, and in the argument, the peasant would have the advantage of the parson. It is an odious contest between poverty and luxury ; between the struggles of a pauper and the luxury of a priest.

Such a man making such a demand, may have many good

qualities ; may be a good theologian ; an excellent controversialist ; deeply read in church history ; very accurate in the value of church benefices ; an excellent high priest—but no Christian pastor. He is not the idea of a Christian minister—the Whiteboy is the least of his foes—his great enemy is the precept of the gospel and the example of the apostles.

A tenth of your land, your labor, and your capital, to those who contribute in no shape whatsoever to the produce, must be oppression ; they only think otherwise, who suppose, that everything is little which is given to the parson ; that no burthen can be heavy, if it is the weight of the parson ; that landlords should give up their rent and tenants the profits of their labor, and all too little ; but uncertainty aggravates that oppression ; the full tenths ever must be uncertain as well as oppressive, for it is the fixed proportion of a fluctuating quantity, and unless the high priest can give law to the winds, and ascertain the harvest, the tithe, like that harvest, must be uncertain ; but this uncertainty is aggravated by the pernicious motives on which tithe frequently rises and falls. It frequently rises on the poor ; it falls in compliment to the rich. It proceeds on principles the reverse of the gospel ; it crouches to the strong, and it encroaches on the feeble ; and is guided by the two worst principles in society, servility and avarice united, against the cause of charity, and under the cloak of religion.

The apostles had no tithe, they did not demand it ; they, and He whose mission they preached, protested against the principle on which tithe is founded ; “ Carry neither scrip, nor purse, nor shoes ; into whatsoever house ye go, say, Peace.”

Here is concord, and contempt of riches, not tithe. “ Take no thought what ye shall eat, or what ye shall drink, nor for your bodies, what ye shall put on ;” so said Christ to his apostles. Does this look like a right in his priesthood to a tenth of the goods of the community ?

“ Beware of covetousness ; seek not what ye shall eat, but seek the kingdom of God.”

“ Give alms ; provide yourselves with bags that wax not old, a treasure in heaven which faileth not.” This does not look like a

right in the Christian priesthood to the tenth of the goods of the community exacted from the poor's dividend.

"Distribute unto the poor, and seek treasure in heaven."

"Take care that your hearts be not charged with surfeiting and drunkenness, and the cares of this life."

One would not think that our Saviour was laying the foundation of tithe, but cutting up the roots of the claim, and prophetically admonishing some of the modern priesthood. If these precepts are of divine right, tithes cannot be so; the precept orders a contempt of riches—the claim demands a tenth of the fruits of the earth for the ministers of the gospel.

The peasantry, in apostolic times, had been the object of charity, not of exaction. Those to whose cabin the tithe-farmer has gone for tithe of turf, and to whose garden he has gone for the tithe potatoes, the apostles would have visited likewise; but they would have visited with contribution, not for exaction; the poor had shared with the apostles,—they contribute to the churchman.

The gospel is not an argument for, but against the right-divine of tithe; so are the first fathers of the church.

But there is an authority still higher than the opinions of the fathers; there is an authority of a council; the Council of Antioch, in the fourth century, which declares that bishops may distribute the goods of the church, but must take no part to themselves, nor to the priests that lived with them, unless necessity required them justly; "Have food and raiment; be therewith content."

This was the state of the church, in its purity; in the fifth century, decimation began, and Christianity declined; then, indeed, the right of tithe was advanced, and advanced in a style that is odious. The preachers who advanced the doctrine, placed all Christian virtue in the payment of tithe. They said, that the Christian religion, as we say the Protestant religion, depended on it. They said, that those who paid not their tithes, would be found guilty before God; and if they did not give the tenth,—that God would reduce the country to a tenth. Blasphemous preachers!—gross ignorance of the nature of things—impudent familiarity with the ways of God

—audacious, assumed knowledge of his judgments, and a false denunciation of his vengeance. And yet even these rapacious, blasphemous men, did not acknowledge to demand tithe for themselves, but the poor—alms!—the debt of charity—the poor's patrimony.

It was not the table of the priests, nor his domestics, nor his apparel, nor his influence, nor his ambition, but a Christian equipage of tender virtues—the widow, the orphan, and the poor; they did not demand the tithe as a corporation of proprietors, like an East India Company, or a South Sea Company, with great rights of property annexed, distinct from the community, and from religion; but as trustees, humble trustees to God, and the poor, pointed out, they presumed, by excess of holiness and contempt of riches. Nor did they resort to decimation, even under these plausible pretensions, until forced by depredations, committed by themselves on one another. The goods of the church, of whatever kind, were at first in common distributed to the support of the church, and the provision of the poor—but at length, the more powerful part, those who attended the courts of princes—they who intermeddled in state affairs, the busy high priest, and the servile, seditious, clerical politician; and particularly the abbots who had engaged in war, and had that pretence for extortion, usurped the fund, left the business of prayer to the inferior clergy, and the inferior clergy to tithe and the people.

Let bigotry and schism, the zealot's fire, the high priest's intolerance, through all their discordancy, tremble, while an enlightened parliament, with arms of general protection, over-arches the whole community, and roots the protestant ascendancy in the sovereign mercy of its nature. Laws of coercion, perhaps necessary, certainly severe, you have put forth already, but your great engine of power you have hitherto kept back; that engine, which the pride of the bigot, nor the spite of the zealot, nor the ambition of the high, nor the arsenal of the conqueror, nor the inquisition, with its jaded rack and pale criminal never thought of:—the engine which, armed with physical and moral blessing, comes forth, and overlays mankind by services; the engine of redress—this is government; and this the only description of government

worth your ambition. Were I to raise you to a great act, I should not recur to the history of other nations; I would recite your own acts, and set you in emulation with yourselves. Do you remember that night, when you gave your country a free trade, and with your hands opened all her harbors? That night when you gave her a free constitution, and broke the chains of a century; while England, eclipsed at your glory, and your island, rose as it were from its bed, and got nearer to the sun? In the arts that polish life; the inventions that accommodate; and the manufactures that adorn it; you will be for many years inferior to some other parts of Europe; but, to nurse a growing people—to mature a struggling, though hardy community; to mould, to multiply, to consolidate, to inspire, and to exalt a young nation; be these your barbarous accomplishments!

I speak this to you, from a long knowledge of your character, and the various resources of your soul; and I confide my motion to those principles not only of justice, but of fire, which I have observed to exist in your composition, and occasionally to break out in a flame of public zeal, leaving the ministers of the crown in eclipsed degradation. It is therefore I have not come to you furnished merely with a cold mechanical plan; but have submitted to your consideration the living grievances; conceiving that anything in the shape of oppression made once apparent—oppression too of a people you have set free—the evil will catch those warm susceptible properties which abound in your mind, and qualify you for legislation.

CURRAN ON THE TRIAL OF ROWAN.

WHERE the press is free, and discussion unrestrained, the mind, by the collision of intercourse, gets rid of its own asperities, a sort of insensible perspiration takes place, by which those acrimonies, which would otherwise fester and inflame, are quietly dissolved and dissipated. But now, if any aggregate assembly shall meet, they are censured; if a printer publishes their resolutions, he is

punished ; rightly to be sure in both cases, for it has been lately done. If the people say, Let us not create tumult, but meet in delegation, they cannot do it ; if they are anxious to promote parliamentary reform in that way, they cannot do it ; the law of the last session has for the first time declared such meetings to be a crime. What then remains ? Only the liberty of the press, that sacred palladium, which no influence, no power, no minister, no government, which nothing but the depravity, or folly, or corruption of a jury, can ever destroy. And what calamity are the people saved from, by having public communication left open to them ? I will tell you, gentlemen, what they are saved from, and what the government is saved from ; I will tell you, also, to what both are exposed by shutting up that communication. In one case sedition speaks aloud, and walks abroad ; the demagogue goes forth, the public eye is upon him, he frets his busy hour upon the stage ; but soon either weariness, or bribe, or punishment, or disappointment bears him down, or drives him off, and he appears no more. In the other case, how does the work of sedition go forward ? Night after night, the muffled rebel steals forth in the dark, and casts another and another brand upon the pile, to which, when the hour of fatal maturity shall arrive, he will apply the flame. If you doubt of the horrid consequences of suppressing the effusion even of individual discontent, look to those enslaved countries where the protection of despotism is supposed to be secured by such restraints, even the person of the despot there is never in safety. Neither the fears of the despot, nor the machinations of the slave, have any slumber, the one anticipating the moment of peril, the other watching the opportunity of aggression. The fatal crisis is equally a surprise upon both ; the decisive instant is precipitated without warning, by folly on the one side, or by frenzy on the other, and there is no notice of the treason till the traitor acts. In those unfortunate countries (one cannot read it without horror), there are officers whose province it is to have the water, which is to be drunk by their rulers, sealed up in bottles, lest some wretched miscreant should throw poison into the draught.

But, gentlemen, if you wish for a nearer and more interesting example, you have it in the history of your own revolution ; you have

it at that memorable period, when the monarch found a servile acquiescence in the ministers of his folly, when the liberty of the press was trodden under foot, when venal sheriffs returned packed juries to carry into effect those fatal conspiracies of the few against the many, when the devoted benches of public justice were filled by some of those foundlings of fortune, who, overwhelmed in the torrent of corruption at an early period, lay at the bottom like drowned bodies, while soundness or sanity remained in them but at length becoming buoyant by putrefaction, they rose as they rotted, and floated to the surface of the polluted stream, where they were drifted along, the objects of terror, and contagion, and abomination.

In that awful moment of a nation's travail, of the last gasp of tyranny, and the first breath of freedom, how pregnant is the example? The press extinguished, the people enslaved, and the prince undone.

As the advocate of society, therefore, of peace, of domestic liberty, and the lasting union of the two countries, I conjure you to guard the liberty of the press, that great sentinel of the state, that grand detector of public imposture; guard it, because when it sinks, there sinks with it, in one common grave, the liberty of the subject, and the security of the crown.

Gentlemen, I am glad that this question has not been brought forward earlier; I rejoice for the sake of the court, of the jury, and of the public repose, that this question has not been brought forward till now. In Great Britain analogous circumstances have taken place. At the commencement of that unfortunate war which has deluged Europe with blood, the spirit of the English people was tremblingly alive to the terror of French principles; at that moment of general paroxysm, to accuse was to convict. The danger loomed larger to the public eye, from the misty medium through which it was surveyed. We measure inaccessible heights by the shadows which they project; where the lowness and the distance of the light form the length of the shade.

There is a sort of aspiring and adventurous credulity, which disdains assenting to obvious truths, and delights in catching at the improbability of circumstances, as its best ground of faith.

To what other cause, gentlemen, can you ascribe that, in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel, for publishing those resolutions to which the present minister of that kingdom had actually subscribed his name? To what other cause can you ascribe, what in my mind is still more astonishing, in such a country as Scotland, a nation cast in the happy medium between the spiritless acquiescence of submissive poverty, and the sturdy credulity of pampered wealth; cool and ardent, adventurous and persevering; winning her eagle flight against the blaze of every science, with an eye that never winks, and a wing that never tires: crowned as she is with the spoils of every art, and decked with the wreath of every muse; from the deep and scrutinizing researches of her Humes, to the sweet and simple, but not less sublime and pathetic morality of her Burns—how from the bosom of a country like that, genius and character, and talents should be banished to a distant barbarous soil; condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life? But I will not further press any idea that is painful to me; and I am sure must be painful to you; I will only say, you have now an example, of which neither England nor Scotland had the advantage; you have the example of the panic, the infatuation, and the contrition of both. It is now for you to decide whether you will profit by their experience of idle panic and idle regret, or whether you meanly prefer to palliate a servile imitation of their frailty, by a paltry affectation of their repentance. It is now for you to show that you are not carried away by the same hectic delusions, to acts, of which no tears can wash away the fatal consequences, or the indelible reproach.

CURRAN IN THE CASE OF MASSY VERSUS HEADFORT.

NEVER so clearly as in the present instance, have I observed
the safeguard of justice which Providence has placed in the na-

ture of man. Such is the imperious dominion with which truth and reason wave their sceptre over the human intellect, that no solicitation, however artful, no talent, however commanding, can seduce it from its allegiance. In proportion to the humility of our submission to its rule, do we rise into some faint emulation of that ineffable and prosiding divinity, whose characteristic attribute it is to be coerced and bound by the inexorable laws of its own nature, so as to be all-wise and all-just from necessity, rather than election. You have seen it in the learned advocate, who has preceded me, most peculiarly and strikingly illustrated—you have seen even his great talents, perhaps the first in any country, languishing under a cause too weak to carry him, and too heavy to be carried by him. He was forced to dismiss his natural candor and sincerity, and, having no merits in his case, to substitute the dignity of his own manner, the resources of his own ingenuity, over the overwhelming difficulties with which he was surrounded. Wretched client! Unhappy advocate! What a combination do you form! But such is the condition of guilt—its commission mean and tremulous—its defence artificial and insincere—its prosecution candid and simple—its condemnation dignified and austere. Such has been the defendant's guilt—such his defence—such shall be my address—and such, I trust, your verdict. The learned counsel has told you that this unfortunate woman is not to be estimated at £40,000. Fatal and unquestionable is the truth of this assertion. Alas! gentlemen, she is no longer worth anything—faded, fallen, degraded, and disgraced, she is worth less than nothing! But it is for the honor, the hope, the expectation, the tenderness, and the comforts, that have been blasted by the defendant, and have fled forever, that you are to remunerate the plaintiff, by the punishment of the defendant. It is not her present value that you are to weigh—but it is her value at that time, when she sat basking in a husband's love, with the blessings of heaven on her head, and its purity in her heart—when she sat amongst her family, and administered the morality of the parental board. Estimate that past value—compare it with its present deplorable diminution—and it may lead you to form some judgment of the severity of the injury, and the extent of the compensation.

CURRAN ON A MOTION TO RELEASE JUSTICE JOHNSON
FROM ILLEGAL IMPRISONMENT.

MY LORDS—It has fallen to my lot, either fortunately, or unfortunately, as the event may be, to rise as counsel for my client on this most important and momentous occasion. I appear before you, my lords, in consequence of a writ issued by his majesty, commanding that cause be shown to this his court, why his subject has been deprived of his liberty, and upon the cause shown in obedience to this writ, it is my duty to address you on the most awful question, if awfulness is to be judged by consequences and events, on which you have been ever called upon to decide. Sorry am I that the task has not been confided to more adequate powers; but, feeble as they are, they will at least not shrink from it. I move you, therefore, that Mr. Justice Johnson be released from illegal imprisonment.

I cannot but observe the sort of scenic preparation with which this sad drama is sought to be brought forward. In part I approve it. In part it excites my disgust and indignation. I am glad to find that the attorney and solicitor general, the natural and official prosecutors for the state, do not appear; and I infer from their absence, that his excellency, the lord lieutenant, disclaims any personal concern in this execrable transaction. I think it does him much honor; it is a conduct that equally agrees with the dignity of his character and the feelings of his heart. To his private virtues, whenever he is left to their influence, I willingly concur in giving the most unqualified tribute of respect. And I do firmly believe, it is with no small regret that he suffers his name to be even formally made use of, in avowing for a return of one of the judges of the land with as much indifference and *nonchalance* as if he were a beast of the plough. I observe, too, the dead silence into which the public is frowned by authority, for the sad occasion. No man dares to mutter; no newspaper dares to whisper that such a question is afloat. It seems an inquiry among the tombs, or rather in the shades beyond them.

Ibant sola sub nocte per umbram.

I am glad it is so—I am glad of this factitious dumbness ; for in murmurs dared to become audible, my voice would be too feeble to drown them ; but when all is hushed—when nature sleeps—

Cum quies mortalibus ægris,

the weakest voice is heard—the shepherd's whistle shoots across the listening darkness of the interminable heath, and gives notice that the wolf is upon his walk ; and the same gloom and stillness that tempt the monster to come abroad, facilitate the communication of the warning to beware. Yes, through that silence the voices shall be heard ; yes, through that silence, the shepherd shall be put upon his guard ; yes, through that silence shall the felon savage be chased into the toil. Yes, my lords, I feel myself cheered and impressed by the composed and dignified attention with which I see you are disposed to hear me on the most important question that has ever been subjected to your consideration ; the most important to the dearest rights of the human being ; the most deeply interesting and animating that can beat in his heart, or burn upon his tongue—Oh ! how recreating is it to feel that occasions may arise in which the soul of man may reassume her pretensions ; in which she hears the voice of nature whisper to her, *os homini sublime dedi cælumque tueri* ; in which even I can look up with calm security to the court, and down with the most profound contempt upon the reptile I mean to tread upon ! I say reptile ; because, when the proudest man in society becomes so the dupe of his childish malice, as to wish to inflict on the object of his vengeance the poison of his sting ; to do a reptile's work, he must shrink into a reptile's dimensions ; and so shrunk, the only way to assail him is to tread upon him. But to the subject ;—this writ of habeas corpus has had a return. That return states, that Lord Ellenborough, chief justice of England, issued a warrant reciting the foundation of this dismal transaction : that one of the clerks of the crown office had certified to him, that an indictment had been found at Westminster, charging the honorable Robert Johnson, late of Westminster, one of the justices of his majesty's court of common pleas in Ireland, with the publication of certain slanderous libels against the government of that

country; against the person of his excellency Lord Hardwicke, lord lieutenant of that country; against the person of Lord Kedesdale, the chancellor of Ireland; and against the person of Mr. Justice Osborne, one of the justices of the court of king's bench in Ireland. One of the clerks of the crown office, it seems, certified all this to his lordship. How many of these there are, or who they are, or which of them so certified, we cannot presume to guess, because the learned and noble lord is silent as to those circumstances. We are only informed that one of them made that important communication to his lordship. It puts me in mind of the information given to one of Fielding's justices: "Did not," says his worship's wife, "the man with the wallet make his fidavy that you was a vagram?" I suppose it was some such petty bag officer who gave Lord Ellenborough to understand that Mr. Justice Johnson was indicted. And being thus given to understand, and be informed, he issued his warrant to a gentleman, no doubt of great respectability, Mr. Williams, his tipstaff, to take the body of Mr. Justice Johnson, and bring him before a magistrate, for the purpose of giving bail to appear within the first eight days of this term, so that there might be a trial within the sittings after; and if, by the blessing of God, he should be convicted, then to appear on the return of the postea, to be dealt with according to law.

Perhaps it may be a question for you to decide, whether that warrant, such as it may be, is not now absolutely spent; and, if not, how a man can contrive to be hereafter in England on a day that is past? And high as the opinion may be in England of Irish understanding, it will be something beyond even Irish exactness to bind him to appear in England not a fortnight hence, but a fortnight ago. I wish, my lords, we had the art of giving time this retrograde motion. If possessed of the secret we might possibly be disposed to improve it from fortnights into years.

There is something not incurious in the juxtaposition of signatures. The warrant is signed by the chief justice of all England. In music, the ear is reconciled to strong transitions of key, by a preparatory resolution of the intervening discords; but here, alas! there is nothing to break the fall: the august title of Ellenborough is followed by the unadorned name of brother Bell, the sponsor

of his lordship's warrant. Let me not, however, be suffered to deem lightly of the compeer of the noble and learned lord. Mr. Justice Bell ought to be a lawyer; I remember him, myself long a crier,* and I know his credit with the state; he has had a *noli prosequi*. I see not, therefore, why it may not fairly be said, "*fortunati ambo!*" It appears by this return, that Mr. Justice Bell endorses this bill of lading to another consignee, Mr. Medlicot, a most respectable gentleman; he describes himself upon the warrant, and he gives a delightful specimen of the administration of justice, and the calendar of saints in office; he describes himself a justice and a peace officer—that is, a magistrate and a catchpole; so that he may receive information as a justice; if he can write, he may draw them as a clerk; if not, he can execute the warrant as bailiff; and, if it be a capital offence, you may see the culprit, the justice, the clerk, the bailiff, and the hangman, together in the same cart; and, though he may not write, he may "ride and tie." What a pity that their journey should not be further continued together! That, as they had been "lovely in their lives, so in their deaths they might not be divided!" I find, my lords, I have undesignedly raised a laugh; never did I less feel merriment—let me not be condemned—let not the laugh be mistaken. Never was Mr. Hume more just than when he says, that "in many things the extremes are nearer to one another than the means." Few are those events that are produced by vice and folly, that fire the heart with indignation, that do not also shake the sides with laughter. So when the two famous moralists of old beheld the sad spectacle of life, the one burst into laughter, the other melted into tears; they were each of them right, and equally right.

Si credas utrique
Res sunt humanæ flebile ludibrium.

But these laughs are the bitter ireful laughs of honest indignation—or they are the laughs of hectic melancholy and despair.

* This gentleman was formerly crier to the late baron Hamilton, when the baron went circuit as a judge.

DR. DODD BEFORE RECEIVING SENTENCE OF DEATH.

MY LORD,—I now stand before you a dreadful example of human infirmity. I entered upon public life with the expectations common to young men whose education has been liberal, and whose abilities have been flattered : and when I became a clergyman, I considered myself as not impairing the dignity of the order. I was not an idle, nor I hope, a useless minister : I taught the truths of Christianity with the zeal of conviction, and the authority of innocence. My labors were approved—my pulpit became popular ; and, I have reason to believe, that of those who heard me, some have been preserved from sin, and some have been reclaimed.—Condescend, my lord, to think, if these considerations aggravate my crime, how much they must embitter my punishment ! Being distinguished and elevated by the confidence of mankind, I had too much confidence in myself, and thinking my integrity, what others thought it, established in sincerity, and fortified by religion, I did not consider the danger of vanity, nor suspect the deceitfulness of my own heart. The day of conflict came, in which temptation seized and overwhelmed me ! I committed the crime, which I entreat your lordship to believe that my conscience hourly represents to me in its full bulk of mischief and malignity. Many have been overpowered by temptation, who are now among the penitent in heaven ! To an act now waiting the decision of vindictive justice, I will not presume to oppose the counterbalance of almost thirty years (a great part of the life of man) passed in exciting and exercising charity—in relieving such distresses as I now feel—in administering those consolations which I now want. I will not otherwise extenuate my offence, than by declaring, what I hope will appear to many, and what many circumstances make probable, that I did not intend finally to defraud : nor will it become me to apportion my own punishment, by alleging that my sufferings have been not much less than my guilt. I have fallen from a reputation, which ought to have made me cautious, and from a fortune which ought to have given me content. I am sunk at once into poverty and scorn : my name

and my crime fill the ballads in the streets; the sport of the thoughtless and the triumph of the wicked! It may seem strange, my lord, that, remembering what I have lately been, I should still wish to continue what I am; but contempt of death, how speciously soever it may mingle with heathen virtues, has nothing in it suitable to Christian penitence. Many motives impel me to beg earnestly for life. I feel the natural horror of a violent death, the universal dread of untimely dissolution. I am desirous to recompense the injury I have done to the clergy, to the world, and to religion; and to efface the scandal of my crime, by the example of my repentance: but, above all, I wish to die with thoughts more composed, and calmer preparation.—The gloom and confusion of a prison, the anxiety of a trial, the horrors of suspense, and the inevitable vicissitudes of passion, leave not the mind in due disposition for the holy exercises of prayer and self-examination.—Let not a little life be denied me, in which I may, by meditation and contrition, prepare myself to stand at the tribunal of Omnipotence, and support the presence of that judge, who shall distribute to all according to their works—who will receive and pardon the repenting sinner, and from whom the merciful shall obtain mercy! For these reasons, my lord, amidst shame and misery, I yet wish to live; and most humbly implore, that I may be recommended by your lordship to the clemency of his majesty.

ROBERT EMMETT BEFORE RECEIVING SENTENCE OF DEATH.

MR LORDS,—You ask me what I have to say, why sentence of death should not be pronounced on me, according to law? I have nothing to say which can alter your pre-determinations, nor that it will become me to say with any view to the mitigation of that sentence, which you are here to pronounce, and I must abide by. But I have that to say, which interests me more than life, and which you have labored (as was necessarily your office in the present circumstances of this oppressed country) to destroy—I have much to say why my reputation should be res-

cued from the load of false accusations and calumny, which have been heaped upon it. I do not imagine, that seated where you are, your minds can be so free from impurity, as to receive the least impression from what I am going to utter; I have no hopes that I can anchor my character in the breast of a court constituted and trammelled as this is; I only wish, and it is the utmost I can expect, that your lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds some more hospitable harbor to shelter it from the storm by which it is at present buffeted. Were I only to suffer death after being judged guilty by your tribunal, I should bow in silence, and meet the fate that awaits me without a murmur; but the sentence of the law which delivers my body to the executioner, will through the ministry of that law, labor in its own vindication, to consign my character to obloquy; for there must be guilt somewhere; whether in the sentence of the court, or in the catastrophe, posterity must determine. A man in my situation, my lords, has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, by the difficulties of established prejudice—the man dies, but his memory lives; that mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port; when my shade shall have joined the bands of those martyred heroes, who have shed their blood on the scaffold and in the field, in defence of their country and of virtue, this is my hope, I wish that my memory and name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government, which upholds its domination by blasphemy of the Most High; which displays its power over man, as over the beasts of the forest; which sets man upon his brother, and lifts his hand in the name of God against the throat of his fellow, who believes or doubts a little more or a little less than the government standard; a government, which is steeled to barbarity, by the cries of the orphans and the tears of the widows which it has made.

[Lord Norbury here interrupted Mr. Emmett, saying that 'he

mean and wicked enthusiasts who felt as he did, were not equal to the accomplishment of their wild designs.]

I appeal to the immaculate God—I swear by the throne of heaven, before which I must shortly appear; by the blood of the murdered patriots who have gone before me; that my conduct has been, through all this peril, and through all my purposes, governed only by the convictions which I have uttered, and by no other view than that of the cure, and the emancipation of my country from the super-inhuman oppression, under which she has too long and too patiently groaned; and that I confidently and assuredly hope, that wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noblest enterprise.—Of this I speak with the confidence of intimate knowledge, and with the consolation that appertains to that confidence. Think not, my lords, I say this for the petty gratification of giving you a transitory uneasiness; a man who never yet raised his voice to assert a lie, will not hazard his character with posterity, by asserting a falsehood on a subject so important to his country, and on an occasion like this.

Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated, will not leave a weapon in the power of envy to impeach the probity which he means to preserve even in the grave to which tyranny consigns him. [Here he was again interrupted by the court.] Again, I say, that what I have spoken, was not intended for your lordship, whose situation I commiserate rather than envy.—My expressions were for my countrymen; if there is a true Irishman present, let my last words cheer him in the hour of his affliction. [Here he was again interrupted; Lord Norbury said he did not sit there to hear treason.] I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law; I have also understood that judges sometimes think it their duty to hear with patience, and to speak with humanity; to exhort the victim of the laws, and to offer with tender benignity his opinions of the motives by which he was actuated in the crime, of which he had been found guilty. That a judge has thought it his duty so to have done, I have no doubt—but where is the

boasted freedom of your institutions, where is the vaunted impartiality, clemency and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated? My lords, it may be a part of the system of angry justice, to bow a man's mind by humiliation to the supposed ignominy of the scaffold; but worse to me than the supposed shame of the scaffold's terrors would be the tame endurance of charges and imputations laid against me in this court. You, my lord, are a judge, I am the supposed culprit; I am a man, you are a man also! by a revolution of power, we might change places; though we never could change characters; if I stand at the bar of this court and dare not vindicate my character, what a farce is your justice! If I stand at this bar, and dare not vindicate it, how dare you calumniate it? Does the sentence of death, which your policy inflicts on my body, also condemn my tongue to silence, and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist I shall not cease to vindicate my character and motives from your aspersions; and as a man to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honor and love, and for whom I am proud to perish.

As men, my lord, we must appear on the great day, at one common tribunal, and it will then remain for the searcher of all hearts to show a collective universe, who was engaged in the most virtuous actions, or attached by the purest motives. [Here he was interrupted and told to listen to the sentence of the law.]

My lord, will a dying man be denied the legal privilege of exculpating himself, in the eyes of the community, of an undeserved reproach thrown upon him during his trial, by charging him with ambition, and attempting to cast away, for a paltry consideration, the liberties of his country? Why did your lordship insult me? Or rather, why insult justice, in demanding of me, why sentence of death should not be pronounced? I know, my lord, that form prescribes that you should ask the question, the form also presumes

a right of answering. This, no doubt, may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the castle before your jury was impanelled; your lordships are but the priests of the oracle, and I submit; but I insist on the whole of the forms. I am charged with being an emissary of France! An emissary of France! And for what end? It is alleged that I wished to sell the independence of my country! And for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradictions? No, I am no emissary; and my ambition was to hold a place among the deliverers of my country, not in power, nor in profit, but in the glory of the achievement! Sell my country's independence to France! And for what? Was it for a change of masters? No! but for ambition! O, my country, was it personal ambition that could influence me, had it been the soul of my actions, could I not by my education and fortune, by the rank and consideration of my family, have placed myself among the proudest of my oppressors? My country was my idol; to it I sacrificed every selfish, every endearing sentiment; and for it, I now offer up my life—O, God! No, my lord, I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyrant, from a crimson and bloody tyranny, and from the more galling yoke of a domestic faction, which is joint partner and perpetrator in the patricide for the ignominy of existing with an exterior of splendor, and a conscious depravity. It was the wish of my heart to extricate my country from this doubly riveted despotism. I wished to place her independence beyond the reach of any power on earth; I wished to exalt her to that proud station in the world. Connection with France was indeed intended; but only as far as our mutual interest would sanction and require; were they to assume any authority inconsistent with the purest independence, it would be the signal for their destruction; we sought aid, and we sought it as we had assurances we should obtain it; as auxiliaries in war and allies in peace. Were the French to come as invaders or enemies; uninvited by the wishes of the people; I should oppose them to the utmost of my strength. Yes, my countrymen, I should advise you to meet them upon the beach,

with a sword in one hand, and a torch in the other ; I would meet them with all the destructive fury of war ; and I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last intrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish, because I should feel conscious, that life, any more than death, is unprofitable, when a foreign nation holds my country in subjection. But it was not as an enemy that the succors of France were to land ; I looked, indeed, for the assistance of France, but I wished to prove to France and to the world, that Irishmen deserved to be assisted ; that they were indignant at slavery, and ready to assert the independence and liberty of their country. I wished to procure for my country the guarantee which Washington procured for America. To procure an aid, which by its example, would be as important as its valor, disciplined, and gallant, pregnant with science and with experience ; who would perceive the good, and polish the rough points of our character ; they would come to us as strangers, and leave us as friends, after sharing our perils and alleviating our burdens. —These were my objects, not to receive new taskmasters, but to expel old tyrants ; these were my views ; and these only became Irishmen. I know your most implacable enemies are in the bosom of your country. I have been charged with that importance in the efforts to emancipate my country, as to be considered the keystone of the combination of Irishmen, or as your lordship expresses it, “the life and blood of the conspiracy.” You do me honor over much, you have given to the subaltern, all the credit of a superior ; there are men engaged in this conspiracy, who are not only superior to me, but even to your own conceptions of yourself, my lord ; men, before the splendor of whose virtues and genius, I should bow with respectful deference, and who would think themselves dishonored to be called your friend ; who would not disgrace themselves by shaking your blood-stained hand.

THE MILLER OF MANSFIELD.

[*Enter the King alone, wrapped in a cloak.*]

King. No, no, this can be no public road, that's certain. I have lost my way, undoubtedly. Of what advantage is it now to be a king? Night shows me no respect, I can neither see better, nor walk so well as another man. When a king is lost in a wood, what is he more than other men? His wisdom knows not which is north, and which is south; his power a beggar's dog would bark at, and the beggar himself would not bow to his greatness. And yet how often are we puffed up with these false attributes! Well! in losing the monarch, I have found the man. But hark! somebody is near. What were it best to do? Will my majesty protect me? No. Throw majesty aside then, and let manhood do it.

[*Enter the Miller.*]

Miller. I believe I hear the rogue. Who's there?

King. No rogue, I assure you.

Miller. Little better, friend, I believe. Who fired that gun?

King. Not I, indeed.

Miller. You lie, I believe.

King. (*Aside.*) Lie, lie! how strange it seems to me to be talked to in this style. (*Aloud.*) Upon my word I do not, sir.

Miller. Come, come, sirrah, confess; you have shot one of the king's deer, haven't you?

King. No, indeed, I owe the king more respect. I heard a gun go off to be sure, and was afraid some robbers were near.

Miller. I am not bound to believe this, friend. Pray who are you? What's your name?

King. Name!

Miller. Name! aye, name. You have a name, haven't you? Where do you come from, and what business have you here?

King. These are questions I have not been used to, honest man.

Miller. May be so; but they are questions no honest man would be afraid to answer. So if you can give no better account

of yourself, I shall make bold to take you along with me, till you can.

King. With you ! What authority have you to—

Miller. The king's, if I must give you an account. Sir, I am John Cockle, the miller of Mansfield, one of his majesty's keepers in the forest of Sherwood ; and I will let no suspected person pass this way, unless he can give a better account of himself than you have done, I promise you.

King. Very well, sir, I am glad to hear the king has so good an officer ; and since I find you have his authority, I will give you a better account of myself, if you will do me the favor to hear it.

Miller. You don't deserve it, I believe, but let's hear what you can say for yourself.

King. I have the honor to belong to the king as well as you, and perhaps should be as unwilling to see any wrong done him. I came down with him to hunt in this forest, and the chase leading us to-day a great way from home, I am benighted in this wood, and have lost my way.

Miller. This does not sound well ; if you have been hunting, pray where is your horse ?

King. I have tired my horse so that he lay down under me, and I was obliged to leave him.

• *Miller.* If I thought I might believe this now—

King. I am not used to lie, honest man.

Miller. What, live at court and not lie ? that's a likely story, indeed.

King. Be that as it will, I speak the truth now, I assure you : and to convince you of it, if you will attend me to Nottingham, or give me a night's lodging in your house, here is something to pay you for your trouble (*offering money*), and if that is not sufficient, I will satisfy you in the morning to your utmost desire.

Miller. Aye, aye, now I am convinced you are a courtier ; here is a little bribe for to-day, and a large promise for to-morrow, both in one breath. Here take it again, John Cockle is no courtier. He can do what is right without a bribe.

King. Thou art a very extraordinary man, I must own, and I should be glad, methinks, to know more of thee.

Miller. Prithee, don't thee and thou me at this rate. I dare say I'm as good a man as yourself, at least.

King. Sir, I beg pardon.

Miller. Nay, I am not angry, friend ; only I don't love to be too familiar with you, while your honesty is suspected.

King. You are right. But what else can I do to convince you ?

Miller. You may do what you please. It is twelve miles to Nottingham, and all the way through this thick wood ; but if you are resolved upon going thither to-night, I will put you in the road, and direct you as well as I can, or if you will accept of such poor entertainment as a miller can give, you shall be welcome to stay here till morning, and then I will go with you myself.

King. And cannot you go with me to-night ?

Miller. No, not if you were the King himself.

King. Then I will go with you, I think.

[*Enter a courtier in haste.*]

Courtier. Is your majesty safe ? We have hunted the forest over to find you.

Miller. How ! the King ! then I am undone. (*Kneels.*) Your majesty will pardon the ill usage you have received.

[*The King draws his sword.*]

His majesty surely will not kill a servant for doing his duty too faithfully.

King. No, my good fellow. So far from having anything to pardon, I am much your debtor. I cannot think but so good and honest a man will make a worthy and honorable knight. Rise up, Sir John Cockle, and receive this sword as a badge of knight-hood, and a pledge of my protection ; and to support your nobility, and in some measure to requite you for the pleasure you have done us, a thousand crowns a year shall be your revenue.

TRUE PATRIOTISM AT THE SIEGE OF CALAIS.

IN 1347, the city of Calais, in France, was besieged by Edward III., king of England, and for more than a year had resisted the utmost efforts of his forces to reduce it. The English made their approaches and attacks without remission but the citizens were as obstinate in repelling them. At length famine did more for Edward than arms. After the citizens had devoured the lean carcases of their starved cattle, and domestic animals, they fed on boiled leather and vermin. In this extremity they boldly resolved to attack the enemy's camp. The battle was long and bloody, but the citizens who survived the slaughter were obliged again to retire within their gates, their governor having been taken prisoner. On the captivity of the governor, the command devolved upon Eustace de Saint Pierre, the mayor of the city, a man of humble birth, but of exalted virtue. Eustace, seeing the necessity of an immediate capitulation, now offered to deliver the city to Edward, with all the possessions and wealth of the inhabitants, provided he would spare their lives and permit them to depart free.

As Edward had long since expected to ascend the throne of France, he was exasperated to the last degree against the little band whose sole valor had defeated his designs. He therefore determined to take exemplary vengeance upon them, and Sir Walter Manny was sent to inform the wretched inhabitants of his final decision. Consider, replied the governor, that this is not the treatment to which brave men are entitled. If any English knight had been in my situation, Edward himself would have expected the same conduct from him. But I inform you, that if we must perish, we will not perish unrevenged, for we are not yet so reduced, but we can sell our lives at a high price to the victors. Manny was struck with the justness of the sentiment, and he at last prevailed upon Edward to mitigate the sentence. The best terms, however, which he would offer them were, that six of their most respectable citizens should suffer death. They were to come to his camp, bringing the keys of the city in their hands, bare-

headed and barefooted, with ropes about their necks. And on these conditions he promised to spare the lives of the remainder.

All that remained of the unfortunate inhabitants, were collected in a great square, expecting with anxious hearts the sentence of their conqueror. When Sir Walter had declared his message, consternation and dismay were impressed upon every countenance. To a long and dead silence, deep sighs and groans succeeded, when Eustace thus addressed the assembly. My friends, we must either submit to the terms of our unfeeling conqueror, or yield up our wives and daughters, and our tender infants to a bloody and brutal soldiery. Look about you, my friends, and fix your eyes on those you wish to deliver up, the victims of your own safety. Is there any here who has not watched for you, who has not fought and bled for you? Is it your preservers then whom you would destine to destruction? You will not, you cannot do it. There is but one expedient left, a gracious, a glorious, a godlike expedient. Is there any one here to whom virtue is dearer than life? Let him offer himself as a sacrifice for the safety of his people.

He spoke, but a universal silence ensued. Each man looked around for an example of that virtue and magnanimity in others, which he wished to approve in himself, but had not resolution enough to put in practice. At length St. Pierre resumed: It had been base in me, my fellow-citizens, to propose any suffering to others, which I should have been unwilling to undergo in my own person; but I held it ungenerous to deprive any man of the honor which might attend the first offer on so glorious an occasion. I am willing to be the first to give my life for your sakes; I give it freely, I give it cheerfully. Who comes next? Your son, exclaimed a youth not yet come to maturity. Ah, my child, cried St. Pierre, I am then twice sacrificed. Thy years are few but full, my son, for the victim of virtue has fulfilled the great purpose of his being. Who next, my friends, this is the hour of heroes? Your kinsman! cried John d'Aire. Your kinsman! cried James Wissant. Your kinsman! cried Peter Wissant. Ah! exclaimed Sir Walter Manny, bursting into tears, why was not I a citizen of Calais? The sixth victim was still wanting, and the number of those who pressed forward was so great, that he was supplied by lot.

The keys were then delivered to Sir Walter, who took the six prisoners into his custody, and ordered the gates to be opened. The English by this time, were informed of what had passed in the city, and each of the soldiers prepared a portion of his own victuals to entertain the half-famished inhabitants. At length St. Pierre and his fellow-citizens appeared with Sir Walter Manny, and a guard. The tents of the English were all emptied, and the soldiers poured from all quarters to catch a sight of this little band of patriots as they passed. They bowed down to them on all sides, and murmured their applause of that virtue, which they could not but revere, even in their enemies. As soon as they had reached the king, he said, Manny, are these the principal inhabitants of Calais? They are, said Manny, not only the principal men of Calais, but of France, my liege, if virtue can ennoble them. Were they delivered peaceably? said Edward. They are self-delivered, self-devoted, said Manny, and come to offer up their inestimable heads as a ransom for thousands. Edward was secretly offended at the praises which Manny so liberally bestowed upon enemies, whose obstinacy had so exasperated him; but concealing his resentment, he replied, "Experience has ever shown, that lenity only serves to incite the criminal to new crimes, which severity only can effectually punish and restrain." Go, said the king, to an officer, and lead these men to execution. Your rebellion, continued he, addressing himself to St. Pierre, is highly aggravated by your present presumption, and contempt of my power. We have nothing to ask of your majesty, said Eustace, save what you cannot refuse us. What is that? said Edward. Your esteem, my lord, said Eustace, and went out with his companions.

At this critical instant the queen arrived, with a powerful reinforcement, and Sir Walter flew to inform her majesty of the particulars respecting the six victims. She immediately repaired to the king, and persuaded him with tears and arguments to save the lives of those unhappy men. Be it so, cried Edward, who was convinced of his impolicy; prevent the execution, and bring them instantly before us. They came, when the queen with an aspect and accent of mildness, thus addressed them. Natives of France and inhabitants of Calais, you have put us to vast expense of

blood and treasure ; but you have, no doubt, acted up to the best of your judgment. We loose your chains, we snatch you from the scaffold, and we thank you for the lesson of humiliation you teach us. You have shown us that excellence does not consist in birth or station : that virtue gives a dignity superior to that of kings ; and that those whom the Almighty endows with sentiments like yours, are justly and eminently raised above all human distinctions. We give you freedom, and we offer to your choice the gifts and honors that Edward has to bestow.

Ah, my country, exclaimed St. Pierre, it is now that I tremble for you. Edward could only win your cities, but Philippa conquers hearts. Brave St. Pierre, said the queen, wherefore look you so dejected ? Ah, madam, said he, when I meet with such another opportunity of dying, I shall not regret that I survived this day.

LORD WALPOLE AGAINST PITT.

SIR,—I was unwilling to interrupt the course of this debate while it was carried on with calmness and decency, by men who do not suffer the ardor of opposition to cloud their reason, or transport them to such expressions as the dignity of this assembly does not admit. I have hitherto deferred to answer the gentle man who declaimed against the bill with such fluency of rhetoric, and such vehemence of gesture ; who charged the advocates for the expedients now proposed, with having no regard to any interests but their own, and with making laws only to consume paper ; and threatened them with the defection of their adherents, and the loss of their influence, upon this new discovery of their folly and ignorance. Nor, sir, do I now answer him for any other purpose than to remind him how little the clamors of rage, and petulance of invective, contribute to the purpose for which this assembly is called together ; how little the discovery of truth is promoted, and the security of the nation established by pompous diction and theatrical emotions. Formidable sounds and furious declamations, confident assertions, and lofty periods, may affect the young and

inexperienced ; and perhaps the gentleman may have contracted his habits of oratory by conversing more with those of his own age, than with such as have had more opportunities of acquiring knowledge, and more successful methods of communicating their sentiments. If the heat of his temper, sir, would suffer him to attend to those whose age and long acquaintance with business give them an indisputable right to deference and superiority, he would learn, in time, to reason rather than declaim, and to prefer justness of argument, and an accurate knowledge of the facts, to sounding epithets and splendid superlatives, which may disturb the imagination for a moment, but leave no lasting impression on the mind. He will learn, sir, that to accuse and prove are very different, and that reproaches unsupported by evidence, affect only the character of him who utters them. Excursions of fancy and flights of oratory are indeed pardonable in young men, but in no other ; and it would surely contribute more, even to the purpose for which some gentlemen appear to speak, that of depreciating the conduct of the administration, to prove the inconveniences and injustice of this bill, than barely to assert them, with whatever magnificence of language or appearance of zeal, honesty, or compassion.

PITT'S REPLY.

SIR,—The atrocious crime of being a young man, which the honorable gentleman has, with such spirit and decency, charged upon me, I shall neither attempt to palliate or deny ; but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number who are ignorant in spite of experience. Whether youth can be imputed to any man as a reproach, I will not, sir, assume the province of determining ; but surely age may become justly contemptible, if the opportunities which it brings have passed away without improvement, and vice appears to prevail, when the passions have subsided. The wretch, who after having seen the consequences of a thousand errors, continues still to blunder, and whose age has

only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his gray head should secure him from insult. Much more, sir, is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptation; who prostitutes himself for money which he cannot enjoy, and spends the remains of his life in the ruin of his country.

But youth, sir, is not my only crime; I have been accused of acting a theatrical part. A theatrical part may either imply some peculiarities of gesture, or a dissimulation of my real sentiments, and an adoption of the opinions and language of another man. In the first sense, sir, the charge is too trifling to be confuted, and deserves only to be mentioned that it may be despised. I am at liberty, like every other man, to use my own language; and though I may, perhaps, have some ambition to please this gentleman, I shall not lay myself under any restraint, nor very solicitously copy his diction or his mien, however matured by age, or modelled by experience. If any man shall, by charging me with theatrical behavior, imply, that I utter any sentiments but my own, I shall treat him as a calumniator and a villain; nor shall any protection shelter him from the treatment which he deserves. I shall, on such an occasion, without scruple, trample upon all those forms with which wealth and dignity entrench themselves; nor shall anything but age restrain my resentment. Age, which always brings one privilege, that of being insolent and supercilious without punishment.

But with regard, sir, to those whom I have offended, I am of opinion, that if I had acted a borrowed part, I should have avoided their censure. The heat which offended them is the ardor of conviction, and that zeal for the service of my country, which neither hope nor fear shall influence me to suppress. I will not sit unconcerned while my liberty is invaded, nor look in silence upon public robbery. I will exert my endeavors, at whatever hazard, to repel the aggressor and drag the thief to justice, whoever may protect them in their villainy, and whoever may partake of their plunder.

RELIGION AND SUPERSTITION CONTRASTED.

I HAD lately a very remarkable dream, which made so strong an impression upon me, that I remembered every word of it; and if you are not better employed, you may read the relation of it as follows: I thought I was in the midst of a very entertaining set of company, and extremely delighted in attending to a lively conversation, when, on a sudden, I perceived one of the most shocking figures that imagination can frame, advancing towards me. She was dressed in black, her skin was contracted into a thousand wrinkles, her eyes deep sunk in her head, and her complexion pale and livid as the countenance of death. Her looks were filled with terror and unrelenting severity, and her hands armed with whips and scorpions. As soon as she came near, with a horrid frown, and a voice that chilled my very blood, she bade me follow her. I obeyed, and she led me through rugged paths, beset with briars and thorns, into a deep, solitary valley. Wherever she passed, the fading verdure withered beneath her steps; her pestilential breath infected the air with malignant vapors; obscured the lustre of the sun, and involved the fair face of heaven in universal gloom. Dismal howlings resounded through the forest; from every baleful tree, the night-raven uttered his dreadful note; and the prospect was filled with desolation and horror. In the midst of this tremendous scene, my execrable guide addressed me in the following manner.

“Retire with me, O rash, unthinking mortal! from the vain allurements of a deceitful world; and learn that pleasure was not designed as the portion of human life. Man was born to mourn and to be wretched. This is the condition of all below the stars; and whoever endeavors to oppose it, acts in contradiction to the will of heaven. Fly then from the enchantments of youth and social delight, and here consecrate thy solitary hours to lamentation and woe. Misery is the duty of all sublunary beings; and every enjoyment is an offence to the Deity, who is to be worshipped only by the mortification of every sense of pleasure, and the everlasting exercise of sighs and tears.”

This melancholy picture of life quite sunk my spirits, and seemed to annihilate every principle of joy within me. I threw myself beneath a blasted yew, where the winds blew cold and dismal around my head, and dreadful apprehensions chilled my heart. Here I resolved to lie till the hand of death, which I impatiently invoked, should put an end to the miseries of a life so deplorably wretched. In this sad situation I espied on one hand of me a deep muddy river, whose heavy waves rolled on in slow, sullen murmurs. Here I determined to plunge, and was just upon the brink, when I found myself suddenly drawn back. I turned about and was surprised by the sight of the loveliest object I had ever beheld. The most engaging charms of youth and beauty appeared in all her form; effulgent glories sparkled in her eyes, and their awful splendors were softened by the gentlest looks of compassion and peace. At her approach, the frightful spectre, who had before tormented me, vanished away, and with her all the horrors she had caused. The gloomy clouds brightened into cheerful sunshine, the groves recovered their verdure, and the whole region looked gay and blooming as the garden of Eden. I was quite transported at this unexpected change, and reviving pleasure began to gladden my thoughts, when, with a look of inexpressible sweetness, my beauteous deliverer thus uttered her divine instructions :

“My name is Religion. I am the offspring of Truth and Love, and the parent of Benevolence, Hope, and Joy. That monster, from whose power I have freed you, is called Superstition; she is the child of Discontent, and her followers are Fear and Sorrow. Thus, different as we are, she has often the insolence to assume my name and character; and seduces unhappy mortals to think us the same, till she, at length, drives them to the borders of Despair, that dreadful abyss into which you were just going to sink. Look around and survey the various beauties of the globe, which heaven has destined for the seat of the human race; and consider whether a world thus exquisitely framed, could be intended for the abode of misery and pain. For what end has the lavish hand of Providence diffused innumerable objects of delight, but that all might rejoice in the privilege of existence, and be filled with gratitude to the beneficent Author of it. Thus to enjoy the blessings he has

ment, is virtue and obedience; and to reject them merely as means of pleasure, is pitiable ignorance, or absurd perverseness. Infinite goodness is the source of created existence. The proper tendency of every rational being, from the highest order of raptured seraphs, to the meanest rank of men, is, to rise incessantly from lower degrees of happiness to higher. They have faculties assigned them for various orders of delights."

"What!" cried I, "is this the language of Religion? Does she lead her votaries through flowery paths, and bid them pass an unlaborious life? Where are the painful toils of virtue, the mortifications of penitents, and the self-denying exercises of saints and heroes?"

"The true enjoyments of a reasonable being," answered she, mildly, "do not consist in unbounded indulgence, or luxurious ease, in the tumult of passions, the languor of indulgence, or the flutter of light amusements. Yielding to immoral pleasures corrupts the mind; living to animal and trifling ones, debases it; both in their degree, disqualify it for its genuine good, and consign it over to wretchedness. Whoever would be really happy must make the diligent and regular exercise of his superior powers his chief attention; adoring the perfections of his Maker; expressing good-will to his fellow-creatures, and cultivating inward rectitude. To his lower faculties he must allow such gratifications as will, by refreshing, invigorate him for nobler pursuits. In the regions inhabited by angelic natures, unmingled felicity forever blooms; joy flows there with a perpetual and abundant stream, nor needs any mound to check its course. Beings conscious of a frame of mind originally diseased, as all the human race have cause to be, must use the regimen of a stricter self-government.

"Whoever has been guilty of voluntary excesses, must patiently submit both to the painful workings of nature, and needful severities of medicine, in order to his cure. Still he is entitled to a moderate share of whatever alleviating accommodations this fair mansion of his merciful Parent affords, consistent with his recovery. And, in proportion as this recovery advances, the liveliest joy will spring from his secret sense of an amended and improved heart. So far from the horrors of despair is the condition even of

the guilty. Shudder, poor mortal, at the thought of the gulf into which thou wast just now going to plunge.

“Whilst the most faulty have every encouragement to amend, the more innocent soul will be supported with still sweeter consolations under all its experience of human infirmities, supported by the gladdening assurances, that every sincere endeavor to outgrow them, shall be assisted, accepted, and rewarded. To such a one, the lowest self-abasement is but a deep-laid foundation for the most elevated hopes; since they who faithfully examine and acknowledge what they are, shall be enabled under my conduct, to become what they desire.

“The Christian and the hero are inseparable; and to the aspirations of unassuming trust and filial confidence are set no bounds. To him who is animated with a view of obtaining approbation from the Sovereign of the universe, no difficulty is insurmountable. Secure, in his pursuit, of every needful aid, his conflict with the severest pains and trials, is little more than the vigorous exercises of a mind in health. His patient dependence on that providence which looks through all eternity; his silent resignation; his ready accommodation of his thoughts and behavior to its inscrutable ways, are at once the most excellent sort of self-denial, and a source of the most exalted transports. Society is the true sphere of human virtue. In social, active life, difficulties will perpetually be met with; restraints of many kinds will be necessary; and studying to behave right in respect of these, is a discipline of the human heart, useful to others, and improving to itself.

“Suffering is no duty, but where it is necessary to avoid guilt, or to do good; nor pleasure a crime, but where it strengthens the influence of bad inclinations, or lessens the generous activity of virtue. The happiness allotted to man in his present state, is indeed faint and low, compared with his immortal prospects, and noble capacities: but yet, whatever portion of it the distributing hand of heaven offers to each individual, is a needful support and refreshment for the present moment, so far as it may not hinder the attaining of his final destination.

“Return, then, with me, from continued misery, to moderate enjoyment and grateful alacrity: return from the contracted views

of solitude, to the proper duties of a relative and dependent being Religion is not confined to cells and closets, nor restrained to sullen retirement. These are the gloomy doctrines of superstition, by which she endeavors to break those chains of benevolence and social affection, that link the welfare of every particular with that of the whole. Remember that the greatest honor you can pay the Author of your being, is a behavior so cheerful as discovers a mind satisfied with his dispensations."

Here my preceptress paused; and I was going to express my acknowledgments for her discourse, when a ringing of bells from the neighboring village, and the new rising sun darting his beams through my windows, awoke me.

THE BLIND PREACHER.

It was one Sunday, as I travelled through the county of Orange, in Virginia, that my eye was caught by a cluster of horses, tied near a ruinous, old, wooden house, in the forest, not far from the road-side. Having frequently seen such objects before, in travelling through these states, I had no difficulty in understanding that this was a place of religious worship. Devotion alone should have stopped me, to join in the duties of the congregation; but I must confess, that curiosity to hear the preacher of such a wilderness, was not the least of my motives. On entering the house, I was struck with his preternatural appearance. He was a tall and very spare old man—his head, which was covered with a white linen cap, his shrivelled hands, and his voice, were all shaking under the influence of a palsy; and a few moments ascertained to me that he was perfectly blind.

The first emotions which touched my breast, were those of mingled pity and veneration. But how soon were all my feelings changed! The lips of Plato were never more worthy of a prognostic swarm of bees, than were the lips of this holy man! It was a day of the administration of the sacrament; and his subject, of course, was the passion of our Saviour. I had heard the

subject handled a thousand times : I had thought it exhausted long ago. Little did I suppose, that in the wild woods of America, I was to meet with a man whose eloquence would give, to this topic, a new and more sublime pathos than I had ever before witnessed. As he descended from the pulpit, to distribute the mystic symbols, there was a peculiar, a more than human solemnity in his air and manner, which made my blood run cold, and my whole frame shiver. He then drew a picture of the sufferings of our Saviour ; his trial before Pilate ; his ascent up Calvary ; his crucifixion ; and his death. I knew the whole history ; but never, until then, had I heard the circumstances so selected, so arranged, so colored ! It was all new ; and I seemed to have heard it for the first time in my life.

His enunciation was so deliberate, that his voice trembled on every syllable ; and every heart in the assembly trembled in unison. His peculiar phrases had that force of description, that the original scene appeared to be, at that moment, acting before our eyes. We saw the very faces of the Jews ; the staring, frightful distortions of malice and rage. We saw the buffet : my soul kindled with a flame of indignation ; and my hands were involuntarily and convulsively clinched. But when he came to touch on the patience, the forgiving meekness of our Saviour ; when he drew, to the life, his blessed eyes streaming in tears to heaven ; his voice breathing to God a soft and gentle prayer of pardon on his enemies, " Father, forgive them, for they know not what they do"—the voice of the preacher, which had all along faltered, grew fainter and fainter, until, his utterance being entirely obstructed by the force of his feelings, he raised his handkerchief to his eyes, and burst into a loud and irrepressible flood of grief. The effect was inconceivable. The whole house resounded with the mingled groans, and sobs, and shrieks of the congregation.

It was some time before the tumult had subsided, so far as to permit him to proceed. Indeed, judging by the usual but fallacious standard of my own weakness, I began to be very uneasy for the situation of the preacher. For I could not conceive how he would be able to let his audience down from the height to which he had wound them, without impairing the solemnity and

dignity of his subject, or perhaps shocking them by the abruptness of the fall. But—no : the descent was as beautiful and sublime, as the elevation had been rapid and enthusiastic. The first sentence with which he broke the awful silence, was a quotation from Rousseau : “Socrates died like a philosopher, but Jesus Christ, like a God !” I despair of giving you any idea of the effect produced by this short sentence, unless you could perfectly conceive the whole manner of the man, as well as the peculiar crisis in the discourse. Never before did I completely understand what Demosthenes meant by laying such stress on *delivery*. You are to bring before you the venerable figure of the preacher—his blindness, constantly recalling to your recollection old Homer, Ossian, and Milton, and associating with his performance, the melancholy grandeur of their geniuses—you are to imagine that you hear his slow, solemn, well-accented enunciation, and his voice of affecting, trembling melody—you are to remember the pitch of passion and enthusiasm to which the congregation were raised—and then, the few minutes of portentous, death-like silence which reigned throughout the house—the preacher removing his white handkerchief from his aged face, even yet wet from the recent torrent of his tears, and slowly stretching forth the palsied hand which holds it, begins the sentence—“Socrates died like a philosopher”—then pausing, raising his other hand, pressing them both, clasped together, with warmth and energy to his breast, lifting his sightless balls to heaven, and pouring his whole soul into his tremulous voice—“but Jesus Christ—like a God !” If he had been indeed and in truth an angel of light, the effect could scarcely have been more divine.

Whatever I had been able to conceive of the sublimity of Massillon, or the force of Bourdaloue, had fallen far short of the power which I felt from the delivery of this simple sentence. The blood, which, just before, had rushed in a hurricane upon my brain, and, in the violence and agony of my feelings, had held my whole system in suspense, now ran back into my heart, with a sensation which I cannot describe ; a kind of shuddering, delicious horror ! The paroxysm of blended pity and indignation to which I had been transported, subsided into the deepest self-abasement, hu-

mility, and adoration. I had just been lacerated and dissolved by sympathy for our Saviour, as a fellow-creature ;—but now, with fear and trembling, I adored him as—“ a God !”

If this description gives you the impression, that this incomparable minister had anything of shallow, theatrical trick in his manner, it does him great injustice. I have never seen, in any other orator, such a union of simplicity and majesty. He has not a gesture, an attitude, or an accent, to which he does not seem forced, by the sentiment which he is expressing. His mind is too serious, too earnest, too solicitous, and, at the same time, too dignified, to stoop to artifice. Although as far removed from ostentation as a man can be, yet it is clear, from the train, the style, and substance of his thoughts, that he is not only a very polite scholar, but a man of extensive and profound erudition. This man has been before my imagination almost ever since. A thousand times as I rode along, I dropped the reins of my bridle, stretched forth my hand, and tried to imitate his quotation from Rousseau ; a thousand times I abandoned the attempt in despair, and felt persuaded that his peculiar manner and power, arose from an energy of soul, which nature could give, but which no human being could justly copy.

PAUL BEFORE AGRIPPA.

I THINK myself happy, king Agrippa, because I shall answer for myself this day before thee, touching all the things whereof I am accused of the Jews ; especially, as I know thee to be expert in all customs and questions which are among the Jews. Wherefore I beseech thee to hear me patiently. My manner of life from my youth, which was at the first among my own nation at Jerusalem, know all the Jews ; who knew me from the beginning, if they would testify, that, after the straitest sect of our religion, I lived a Pharisee. And I now stand and am judged for the hope of the promise made of God unto our fathers. Unto which promise, our twelve tribes, instantly serving God day and night, hope to come ; for which hope's sake, king Agrippa, I am accused of the Jews.

Why should it be thought a thing incredible with you, that God should raise the dead? I verily thought with myself, that I ought to do many things contrary to the name of Jesus of Nazareth. Which thing I also did in Jerusalem; and many of the saints did I shut up in prison, having received authority from the chief priests. And when they were put to death, I gave my voice against them. And I punished them oft in every synagogue, and compelled them to blaspheme. And being exceedingly mad against them, I persecuted them even unto strange cities. Whereupon, as I went to Damascus, with authority and commission from the chief priests, at mid-day, O king, I saw in the way a light from heaven, above the brightness of the sun, shining round about me, and them who journeyed with me. And when we were all fallen to the earth, I heard a voice speaking unto me, and saying, in the Hebrew tongue, Saul, Saul, why persecutest thou me? And I said, Who art thou, Lord? And he said, I am Jesus whom thou persecutest. But rise, and stand upon thy feet; for I have appeared unto thee for this purpose, to make thee a minister, and a witness, both of these things which thou hast seen, and of those things in which I will appear unto thee; delivering thee from the people, and from the Gentiles, unto whom I now send thee, to open their eyes, and to turn them from darkness to light, and from the power of Satan unto God; that they may receive forgiveness of sins, and inheritance among them who are sanctified by faith which is in me. Whereupon, O king Agrippa, I was not disobedient unto the heavenly vision; but showed first unto them of Damascus, and at Jerusalem, and throughout all the coasts of Judea, and then to the Gentiles, that they should repent and turn to God, and do works meet for repentance. For these causes the Jews caught me in the temple, and went about to kill me.

Having therefore obtained help from God, I continue unto this day, witnessing both to small and great; saying no other things than those which Moses and the prophets did say should come: that Christ should suffer, and that he should be the first who should rise from the dead, and should show light unto the people, and to the Gentiles.

THE TRUE POINT OF HONOR.

THE Spanish historians relate a memorable instance of honor and regard to truth. A Spanish cavalier in a sudden quarrel slew a Moorish gentleman, and fled. His pursuers soon lost sight of him; for he had, unperceived, thrown himself over a garden wall. The owner, a Moor, happening to be in his garden, was addressed by the Spaniard on his knees, who acquainted him with his case, and implored concealment. Eat this, said the Moor, giving him half a peach, you now know that you may confide in my protection. He then locked him up in his garden apartments, telling him as soon as it was night, he would provide for his escape to a place of greater safety. The Moor then went into his house; where he had but just seated himself, when a great crowd, with loud lamentation, came to his gate, bringing the corpse of his son, who had just been killed by a Spaniard. When the first shock of surprise was a little over, he learned from the description given, that the fatal deed was done by the very person then in his power. He mentioned this to no one; but, as soon as it was dark, retired to his garden, as if to grieve alone, giving orders that none should follow him. Then accosting the Spaniard, he said, "Christian, the person you have killed is my son; his body is now in my house. You ought to suffer; but you have eaten with me, and I have given you my faith, which must not be broken." He then led the astonished Spaniard to his stables, and mounted him on one of his fleetest horses, and said, "Fly far while the night can cover you; you will be safe in the morning. You are indeed guilty of my son's blood, but God is just and good, and I thank him I am innocent of yours, and that my faith given is preserved."

In the year 1746, when the English were at open war with Spain, the Elizabeth, of London, Capt. William Edwards, coming through the gulf from Jamaica, richly laden, met with a most violent storm, in which the ship sprung a leak, that obliged them, for the saving of their lives, to run into Havana, a Spanish port. The captain went on shore, and directly waited on the governor, told the occasion of his putting in, and that he surrendered the ship as

a prize, and himself and his men as prisoners of war, only requesting good quarter.

"No, sir," replied the Spanish governor, "if we had taken you in fair war at sea, or approaching our coast with hostile intentions, your ship would then have been a prize, and your people prisoners; but when distressed by a tempest, you come into our ports for the safety of your lives, we, the enemies, being men, are bound as such by the laws of humanity to afford relief to distressed men who ask it of us. We cannot, even against our enemies, take advantage of an act of God. You have leave, therefore, to unload your ship, if that be necessary to stop the leak; you may refit her here, and traffic so far as shall be necessary to pay the charges; you may then depart, and I will give you a pass to be in force till you are beyond Bermuda. If after that you are taken, you will then be a lawful prize: but now you are only a stranger, and have a stranger's right to safety and protection." The ship accordingly departed, and arrived safe in London.

GRIFFIN AGAINST CHEETHAM FOR A LIBEL.

I AM one of those who believe that the heart of the wilful and the deliberate libeller is blacker than that of the highway robber, or of one who commits the crime of midnight arson. The man who plunders on the highway, may have the semblance of an apology for what he does. An affectionate wife may demand subsistence: a circle of helpless children raise to him the supplicating hand for food. He may be driven to the desperate act by the high mandate of imperative necessity. The mild features of the husband and the father may intermingle with those of the robber, and soften the roughness of the shade.

But the robber of character plunders that which "not enriches him," though it makes his neighbor "poor indeed." The man who at the midnight hour consumes his neighbor's dwelling, does him an injury which perhaps is not irreparable. Industry may rear another habitation. The storm may indeed descend upon

him until charity opens a neighboring door : the rude winds of heaven may whistle around his uncovered family. But he looks forward to better days : he has yet a hook left to hang a hope on. No such consolation cheers the heart of him whose character has been torn from him. If innocent, he may look, like Anaxagoras, to the heavens ; but he must be constrained to feel this world is to him a wilderness. For whither shall he go ? Shall he dedicate himself to the service of his country ? But will his country receive him ? Will she employ in her counsels, or in her armies, the man at whom the "slow unerring finger of scorn" is pointed ? Shall he betake himself to the fire-side ? The story of his disgrace will enter his own doors before him.

And can he bear, think you, can he bear the sympathizing agonies of a distressed wife ? Can he endure the formidable presence of scrutinizing, sneering domestics ? Will his children receive instruction from the lips of a disgraced father ? Gentlemen, I am not ranging on fairy ground. I am telling the plain story of my client's wrongs. By the ruthless hand of malice his character has been wantonly massacred ;—and he now appears before a jury of his country for redress. Will you deny him this redress ?—Is character valuable ? On this point I will not insult you with argument. There are certain things, to argue which is treason against nature. The Author of our being did not intend to leave this point afloat at the mercy of opinion, but with his own hand has he kindly planted in the soul of man an instinctive love of character. This high sentiment has no affinity to pride. It is the ennobling quality of the soul : and if we have hitherto been elevated above the ranks of surrounding creation, human nature owes its elevation to the love of character.

It is the love of character for which the poet has sung, the philosopher toiled, the hero bled. It is the love of character which wrought miracles at ancient Greece : the love of character is the eagle on which Rome rose to empire. And it is the love of character animating the bosom of her sons, on which America must depend in those approaching crises that may "try men's souls." Will a jury weaken this our nation's hope ? Will they by their verdict pronounce to the youth of our country, that character is

scarce worth possessing? We read of that philosophy which can smile over the destruction of property—of that religion which enables its possessor to extend the benign look of forgiveness and complacency to his murderers. But it is not in the soul of men to bear the laceration of slander. The philosopher which could bear it we should despise. The religion which could bear it, we should not despise—but we should be constrained to say, that its kingdom was not of this world.

THE PERFECT ORATOR.

IMAGINE to yourselves a Demosthenes, addressing the most illustrious assembly in the world, upon a point whereon the fate of the most illustrious of nations depended—How awful such a meeting! how vast the subject!—By the power of his eloquence, the augustness of the assembly is lost in the dignity of the orator; and the importance of the subject, for a while, superseded by the admiration of his talents.

With what strength of argument, with what powers of the fancy, with what emotions of the heart, does he assault and subjugate the whole man; and, at once, captivate his reason, his imagination, and his passions! To effect this, must be the utmost effort of the most improved state of human nature.—Not a faculty that he possesses, but is here exerted to its highest pitch. All his internal powers are at work: all his external, testify their energies.

Within, the memory, the fancy, the judgment, the passions, are all busy: without, every muscle, every nerve is exerted; not a feature, not a limb, but speaks. The organs of the body, attuned to the exertions of the mind, through the kindred organs of the hearers, instantly vibrate those energies from soul to soul. Notwithstanding the diversity of minds in such a multitude, by the lightning of eloquence, they are melted into one mass—the whole assembly actuated in one and the same way, become, as it were, but one man, and have but one voice.—The universal cry is—**LET US MARCH AGAINST PHILIP, LET US FIGHT FOR OUR LIBERTIES—LET US CONQUER OR DIE!**

JUDGE STORY'S CENTENNIAL ADDRESS.

WHEN we reflect on what has been, and is now, is it possible not to feel a profound sense of the responsibility of this republic to all future ages? What vast motives press upon us for lofty efforts! What brilliant prospects invite our enthusiasm! What solemn warnings at once demand our vigilance, and moderate our confidence! The old world has already revealed to us in its unsealed books, the beginning and end of all its own marvellous struggles in the cause of liberty. • Greece, lovely Greece, "the land of scholars and the nurse of arms," where sister republics in fair processions, chanted the praises of liberty and the gods; where and what is she? For two thousand years the oppressor has bound her to the earth. Her arts are no more. The last sad relics of her temples are but the barracks of a ruthless soldiery; the fragments of her columns and her palaces are in the dust, yet beautiful in ruin. She fell not when the mighty were upon her. Her sons were united at Thermopylæ and Marathon; and the tide of her triumph rolled back upon the Hellespont. She was conquered by her own factions. She fell by the hands of her own people. The man of Macedonia did not the work of destruction. It was already done by her own corruptions, banishments, and dissensions. Rome, republican Rome, whose eagles glanced in the rising and setting sun, where, and what is she? The eternal city yet remains, proud even in her desolation, noble in her decline, venerable in the majesty of religion, and calm as in the composure of death. The *malaria* has but travelled in the paths worn by her destroyers. More than eighteen centuries have mourned over the loss of her empire. A mortal disease was upon her vitals before Cæsar had crossed the Rubicon; and Brutus did not restore her health by the deep probings of the senate chamber. The Goths and Vandals and Huns, the swarms of the north, completed only what was already begun at home. Romans betrayed Rome. The legions were bought and sold; but the people offered the tribute money.

And where are the republics of modern times, which clustered

around immortal Italy! Venice and Genoa exist but in name. The Alps, indeed, look down upon the brave and peaceful Swiss, in their native fastness; but the guaranty of their freedom is in their weakness, and not in their strength. The mountains are not easily crossed, and the valleys are not easily retained. When the invader comes, he moves like an avalanche, carrying destruction in his path. The peasantry sinks before him. The country is too poor for plunder, and too rough for valuable conquest. Nature presents her eternal barriers on every side, to check the wantonness of ambition; and Switzerland remains with her simple institutions, a military road to fairer climates, scarcely worth a permanent possession, and protected by the jealousy of her neighbors.

We stand the latest, and, if we fail, probably the last experiment of self-government by the people. We have begun it under circumstances of the most auspicious nature. We are in the vigor of youth. Our growth has never been checked by the oppressions of tyranny. Our constitutions have never been enfeebled by the vices or luxuries of the old world. Such as we are, we have been from the beginning; simple, hardy, intelligent, accustomed to self-government and self-respect.

The Atlantic rolls between us and any formidable foe. Within our own territory, stretching through many degrees of latitude and longitude, we have the choice of many products, and many means of independence. The government is mild. The press is free. Religion is free. Knowledge reaches, or may reach every home. What fairer prospects of success could be presented? What means more adequate to accomplish the sublime end? What more is necessary, than for the people to preserve what they themselves have created? Already has the age caught the spirit of our institutions. It has already ascended the Andes, and snuffed the breezes of both oceans. It has infused itself into the life-blood of Europe, and warmed the sunny plains of France, and the low lands of Holland. It has touched the philosophy of Germany and the North, and, moving onward to the South, has opened to Greece the lessons of her better days.

Can it be, that America, under such circumstances, can betray herself? That she is to be added to the catalogue of republics,

the inscription of whose ruin is, "they were, but they are not." Forbid it, my countrymen ; forbid it, heaven ! I call upon you, fathers, by the shades of your ancestors, by the dear ashes which repose in this precious soil, by all you are, and all you hope to be ; resist every project of disunion ; resist every encroachment upon your liberties ; resist every attempt to fetter your consciences, or smother your public schools ; or extinguish your system of public instruction.

I call upon you, mothers, by that which never fails in woman, the love of your offspring ; teach them, as they climb your knees, or lean on your bosom, the blessings of liberty. Swear them at the altar, as with their baptismal vows, to be true to their country, and never to forget or to forsake her.

I call upon you, young men, to remember whose sons you are ; whose inheritance you possess. Life can never be too short, which brings nothing but disgrace and oppression. Death never comes too soon, if necessary in defence of the liberties of your country.

I call upon you, old men, for your counsels, and your prayers, and your benedictions. May not your gray hairs go down in sorrow to the grave, with the recollection that you have lived in vain. May not your last sun sink in the west upon a nation of slaves.

No—I read in the destiny of my country far better hopes, far brighter visions. We, who are now assembled here, must soon be gathered to the congregation of other days. The time for our departure is at hand, to make way for our children upon the theatre of life. May God speed them and theirs. May he, who at the distance of another century shall stand here to celebrate this day, still look round upon a free, happy, and virtuous people. May he have reason to exult as we do. May he, with all the enthusiasm of truth, as well as of poetry, exclaim, that here is still his country :

"Zealous, yet modest ; innocent, though free ;
Patient of toil ; serene amidst alarms ;
Inflexible in faith invincible in arms."

DR. JOSEPH WARREN'S ORATION AT BOSTON, 1772.

THE voice of your fathers' blood cries to you from the ground, "My sons, scorn to be SLAVES!" In vain we met the frowns of tyrants; in vain we crossed the boisterous ocean, found a new world, and prepared it for the happy residence of liberty; in vain we toiled; in vain we fought; we bled in vain, if you our offspring want valor to repel the assaults of her invaders! Stain not the glory of your worthy ancestors; but like them resolve never to part with your birthright. Be wise in your deliberations, and determined in your exertions for the preservation of your liberty. Follow not the dictates of passion; but enlist yourselves under the sacred banner of reason; use every method in your power to secure your rights; at least prevent the curses of posterity from being heaped upon your memories. If you, with united zeal and fortitude, oppose the torrent of oppression; if you feed the true fire of patriotism burning in your breasts; if you, from your souls, despise the most gaudy dress which slavery can wear; if you really prefer the lonely cottage, whilst blest with liberty, to gilded palaces surrounded with the ensigns of slavery, you may have the fullest assurance that tyranny, with her whole accursed train, will hide her hideous head in confusion, shame and despair. If you perform your part, you must have the strongest confidence, that the same Almighty Being, who protected your pious and venerable forefathers, who enabled them to turn a barren wilderness into a fruitful field, who so often made bare his arm for their salvation, will still be mindful of their offspring. May this Almighty Being graciously preside in all our councils. May he direct us to such measures as he himself shall approve, and be pleased to bless. May we be ever favored of God. May our land be a land of liberty, the seat of virtue, the asylum of the oppressed, "a name and a praise in the whole earth," until the last shock of time shall bury the empires of the world in undistinguished ruin.

GOVERNOR LIVINGSTON TO THE COUNCIL AND GENERAL ASSEMBLY OF NEW JERSEY.

GENTLEMEN,—Conceiving it my duty to state my sentiments on the present situation of affairs, between Great Britain and America, you will excuse my giving you the trouble of attending for that purpose.

After deploring with you the desolation spread through part of this state, by an unrelenting enemy, who have marked their progress with a devastation unknown to civilized nations ; I congratulate you on the success against them at Trenton, and the victory obtained at Princeton, by the gallant troops under Washington.

The disgust they have given to their own confederates amongst us, by their ravages, has enabled us to distinguish our friends from our enemies. It has opened the eyes of those who were made to believe that abetting our persecutors, would exempt them from the common calamity. But as the rapacity of the enemy was boundless, their rapine was indiscriminate, and their barbarity unparalleled. They have plundered friends and foes. Effects capable of division, they have divided ; such as were not, they have destroyed. They have warred upon decrepid age ; and defenceless youth.

They have committed hostilities against the professors of literature, and the ministers of religion ; against public records, and private monuments ; against books of improvement, and papers of curiosity ; and against the arts and sciences. They have butchered the wounded, asking for quarters ; mangled the dying, weltering in their blood ; refused the dead the rights of sepulture : suffered prisoners to perish for want of sustenance ; violated the chastity of women ; disfigured private dwellings of taste and elegance ; and, in the rage of impiety and barbarism, profaned edifices dedicated to Almighty God !

Yet there are some among us, who, deluded by insidious propositions, are aiding their machinations, to deprive us of that liberty, without which man is a beast, and government a curse.

Besides the baseness of wishing to rise on the ruin of our

country ; or to acquire riches at the expense of the liberties and fortunes of our fellow-citizens, how soon would those delusive dreams, upon the conquest of America, be turned into disappointment. Instead of gratuities, these unhappy accomplices in tyranny, would meet with cold disdain ; and, be finally told, by their haughty masters, that they approved of the treason, but despised the traitor.

Even the author of this horrid war is incapable of concealing his own confusion and distress. Too great to be wholly suppressed, it frequently discovers itself in his speeches, breathing threatenings, and betraying terror ; a motley mixture of magnanimity and consternation ; of grandeur and abasement : with troops invincible, he dreads a defeat, and wants reinforcements ; victorious in America, and triumphant on the ocean, he is an humble dependent on a petty prince ; and with full confidence in the friendship and alliance of France, he trembles at her secret designs, and open preparations.

With all this we ought to contrast the numerous and hardy sons of America, inured to toil ; seasoned alike to heat and cold ; hale, robust, patient of fatigue ; and from an ardent love of liberty ready to face danger and death.

Their remarkable unanimity with the exception of a few apostates and deserters ; their unshaken resolution to maintain their freedom, or perish in the attempt ; the fertility of our soil ; our inexhaustible internal resources ; our economy in public expenses, add to this, that in a cause so just we have the highest reason to expect the blessing of heaven upon our glorious conflict.

For who can doubt the interposition of the supremely just, in favor of a people forced to arms, in defence of everything dear, against a nation deaf to our complaints, rejoicing in our misery, wantonly aggravating our oppressions, determined to divide our substance and by fire and sword to compel us into submission.

Let us, however, not presumptuously rely on the interposition of providence, without those efforts which it is our duty to exert.

Let us remember our plighted faith and honor to maintain the cause with our lives and fortunes. Let those in distinguished stations use all their influence to rouse the supine ; animate the irres-

olute ; confirm the wavering, and draw from his lurking hole the skulking neutral, who, leaving to others the heat and burthen of the day, means, in the final result, to reap the fruits of that victory, for which he will not contend.

Let us be peculiarly assiduous in bringing to condign punishment, those parricides who have been openly active against their native country ; and may we, in all proceedings, be directed by the great arbiter of the fate of nations, by whom empires rise and fall, and who will in due time avenge an injured people on their unfeeling oppressor and his bloody instruments.

JACOB HENRY IN THE NORTH CAROLINA LEGISLATURE.

MR. SPEAKER,—Though I will not conceal the surprise I felt that the gentleman should have thought proper yesterday to have moved my expulsion from this house, on the alleged grounds that I “disbelieve in the divine authority of the New Testament,” without considering himself bound by those rules of politeness, which, according to my sense of propriety, should have led him to give me some previous intimation of his design ; yet since I am brought to the discussion, I feel prepared to meet the object of his resolution.

I certainly, Mr. Speaker, know not the design of the Declaration of Rights made by the people of this state in the year '76, if it was not to consecrate certain great and fundamental rights and principles, which even the constitution cannot impair : for the 44th section of the latter instrument declares that the Declaration of Rights ought never to be violated on any pretence whatever. If there is any apparent difference between the two instruments they ought if possible to be reconciled. But if there is a final repugnance between them, the Declaration of Rights must be considered paramount : for I believe that it is to the constitution, as the constitution is to a law : it controls and directs it absolutely and conclusively. If then a belief in the Protestant religion is required by the constitution to qualify a man for a seat in this house, and such

qualification is dispensed with by the Declaration of Rights, the provision of the constitution must be altogether inoperative, as the language of the bill of rights is "that all men have a natural and inalienable right to worship Almighty God according to the dictates of their own conscience." It is undoubtedly a natural right, and when it is declared to be an inalienable one, by the people in their sovereign and original capacity, any attempt to alienate it either by the constitution or by law, must be vain and fruitless. It is difficult to conceive how such a provision crept into the constitution, unless it was from the difficulty the human mind feels in suddenly emancipating itself from fetters by which it has long been enchained. If a man should hold religious principles incompatible with the freedom and safety of the state, I do not hesitate to pronounce that he should be excluded from the public councils of the same; and I trust if I know myself, no one would be more ready to aid and assist than myself. But I should really be at a loss to specify any known religious principles which are thus dangerous. It is surely a question between a man and his Maker, and requires more than human attributes to pronounce which of the numerous sects prevailing in the world is most acceptable to the Deity. If a man fulfils the duties of that religion, which his education or his conscience has pointed to him as the true one, no person, I hold, in this our land of liberty, has a right to arraign him at the bar of any inquisition. And the day I trust is long past when principles merely speculative were propagated by force, when the sincere and pious were made victims, and the light-minded bribed into hypocrites.

The proud monuments of liberty knew that the purest homage man could render to the Almighty was in the sacrifice of his passions, and in the performance of his duties: that the Ruler of the universe would receive with equal benignity, the various offerings of man's adoration, if they proceeded from an humble spirit and sincere mind; that intolerance in matters of faith, had been from the earliest ages of the world, the severest torments by which mankind could be afflicted; and that governments were only concerned about the actions and conduct of man, and not his speculative notions. Who among us feels himself so exalted above his fellows,

as to have a right to dictate to them his mode of belief? shall this free country set an example of persecution, which even the returning reason of enslaved Europe would not submit to? Will you bind the conscience in chains, and fasten conviction upon the mind, in spite of the conclusions of reason, and of those ties and habitudes which are blended with every pulsation of the heart. Are you prepared to plunge at once from the sublime heights of moral legislation, into the dark and gloomy caverns of superstitious ignorance? Will you drive from your shores and from the shelter of your constitutions, all who do not lay their oblations on the same altar, observe the same ritual and subscribe to the same dogmas? If so, which amongst the various sects into which we are divided, shall be the favored one? I should insult the understanding of this house to suppose it possible that they could ever assent to such absurdities. For all know that persecution in all its shapes and modifications, is contrary to the genius of our government, and the spirit of our laws; and that it can never produce any other effect, than to render men hypocrites or martyrs. When Charles V., emperor of Germany, tired of the cares of government, resigned his crown to his son, he retired to a monastery, where he amused the evening of his life in regulating the movements of watches, endeavoring to make a number keep the same time, but not being able to make any two go exactly alike, it led him to reflect upon the folly and crimes he had committed, in attempting the impossibility of making men think alike!

Nothing is more easily demonstrated than that the conduct alone is the subject of human laws, and that man ought to suffer civil disqualification for what he does, and not for what he thinks. The mind can receive laws only from Him of whose divine essence it is a portion: He alone can punish disobedience; for who else can know our movements, or estimate their merits? The religion I profess, inculcates every duty which man owes to his fellow-men: it enjoins upon its votaries the practice of every virtue, and the detestation of every vice; it teaches them to hope for the favor of heaven exactly in proportion as their lives are directed by just, honorable and beneficent maxims. This then, gentlemen, is my creed; it was impressed upon my infant mind, it has been the di-

rector of my youth, the monitor of my manhood, and will I trust be the consolation of my old age. At any rate, Mr. Speaker, I am sure that you cannot see anything in this religion, to deprive me of my seat in this House. So far as relates to my life and conduct, the examination of these I submit with cheerfulness to your candid and liberal construction. What may be the religion of him who made this objection against me, or whether he has any religion or not, I am unable to say. I have never considered it my duty to pry into the belief of other members of this house: if their actions are upright and their conduct just, the rest is for their own consideration, not for mine. I do not seek to make converts to my faith, whatever it may be esteemed in the eyes of my officious friend, nor do I exclude any man from my esteem or friendship, because he and I differ in that respect. The same charity, therefore, it is not unreasonable to expect will be extended to myself, because in all things that relate to the State and to the duties of civil life, I am bound by the same obligations with my fellow-citizens; nor does any man subscribe more sincerely than myself to the maxim, "whatsoever ye would that men should do unto you, do ye even so unto them, for such is the law and the prophets."

FISHER AMES ON THE BRITISH TREATY.

If any should maintain that the peace with the Indians will be stable without the posts, to them I will urge another reply. From arguments calculated to produce conviction, I will appeal directly to the hearts of those who hear me, and ask whether it is not already planted there? I resort especially to the convictions of the western gentlemen, whether, supposing no posts and no treaty, the settlers will remain in security? Can they take it upon them to say, that an Indian peace under these circumstances, will prove firm? No, sir, it will not be peace, but a sword; it will be no better than a lure to draw victims within the reach of the tomahawk.

On this theme, my emotions are unutterable. If I could find

words for them, if my powers bore any proportion to my zeal, I would swell my voice to such a note of remonstrance, it should reach every log-house beyond the mountains. I would say to the inhabitants, wake from your false security. Your cruel dangers, your more cruel apprehensions are soon to be renewed: the wounds, yet unhealed, are to be torn open again. In the daytime your path through the woods will be ambushed. The darkness of midnight will glitter with the blaze of your dwellings. You are a father—the blood of your sons shall fatten your corn-field. You are a mother—the war-whoop shall wake the sleep of the cradle.

On this subject you need not suspect any deception on your feelings. It is a spectacle of horror which cannot be overdrawn. If you have nature in your hearts, they will speak a language compared with which all I have said or can say, will be poor and frigid.

Will it be whispered that the treaty has made me a new champion for the protection of the frontiers; it is known that my voice as well as vote has been uniformly given in conformity with the ideas I have expressed. Protection is the right of the frontiers; it is our duty to give it.

Who will accuse me of wandering out of the subject? Who will say that I exaggerate the tendencies of our measures? Will any one answer by a sneer, that all this is idle preaching? Would any one deny that we are bound, and I would hope to good purpose, by the most solemn sanctions of duty for the vote we give? Are despots alone to be reproached for unfeeling indifference to the tears and blood of their subjects? Are republicans irresponsible? Have the principles on which you ground the reproach upon cabinets and kings no practicable influence, no binding force? Are they merely themes of idle declamation, introduced to decorate the morality of a newspaper essay, or to furnish pretty topics of harangue from the windows of that state-house? I trust it is neither too presumptuous nor too late to ask, Can you put the dearest interest of society at risk, without guilt and without remorse?

It is vain to offer as an excuse, that public men are not to be reproached for the evils that may happen to ensue from their

measures. This is very true, where they are unforeseen or inevitable. Those I have depicted are not unforeseen ; they are so far from inevitable, we are going to bring them into being by our vote. We choose the consequences, and become as justly answerable for them as for the measure that we know will produce them.

By rejecting the posts, we light the savage fires, we bind the victims. This day we undertake to render account to the widows and orphans whom our decision will make, to the wretches that will be roasted at the stake, to our country, and I do not deem it too serious to say, to conscience and to God. We are answerable ; and if duty be anything more than a word of imposture, if conscience be not a bugbear, we are preparing to make ourselves as wretched as our country.

There is no mistake in this case, there can be none. Experience has already been the prophet of events, and the cries of our future victims have already reached us. The western inhabitants are not a silent and uncomplaining sacrifice. The voice of humanity issues from the shade of the wilderness. It exclaims, that while one hand is held up to reject this treaty, the other grasps a tomahawk. It summons our imagination to the scenes that will open. It is no great effort of the imagination to conceive that events so near are already begun. I can fancy that I listen to the yells of savage vengeance, and the shrieks of torture. Already they seem to sigh in the west wind ; already they mingle with every echo from the mountains.

WIRT ON THE TRIAL OF AARON BURR.

A PLAIN man who knew nothing of the curious transmutations which the wit of man can work, would be very apt to wonder by what kind of legerdemain Aaron Burr had contrived to shuffle himself down to the bottom of the pack as an accessory, and turn up poor Blennerhassett as principal in this treason. It is an honor, I dare say, for which Mr. Blennerhassett is by no means anxious ; one which he has never disputed with Colonel Burr, and which, I am persuaded, he would be as little inclined to dispute on this

occasion, as on any other. Since, however, the modesty of Colonel Burr declines the first rank, and seems disposed to force Mr. Blennerhassett into it in spite of his blushes, let us compare the cases of the two men and settle this question of precedence between them. It may save a good deal of troublesome ceremony hereafter.

In making this comparison, sir, I shall speak of the two men and of the part they bore as I believe it to exist, and to be substantially capable of proof: although the court has already told us that as this is a motion to exclude *all* evidence, generally, we have a right, in resisting it, to *suppose* the evidence which is behind, strong enough to prove anything and everything compatible with the fact of Burr's absence from the island. If it will be more agreeable to the feelings of the prisoner to consider the parallel which I am about to run, or rather the contrast which I am about to exhibit, as a fiction, he is at liberty to do so; I believe it to be a fact.

Who, then, is Aaron Burr, and what the part which he has borne in this transaction? He is its author; its projector; its active executor. Bold, ardent, restless, and aspiring, his brain conceived it; his hand brought it into action. Beginning his operations in New York, he associates with him, men whose wealth is to supply the necessary funds. Possessed of the main-spring, his personal labor contrives all the machinery. Pervading the continent from New York to New Orleans, he draws into his plan by every allurements which he can contrive, men of all ranks, and all descriptions. To youthful ardor he presents danger and glory; to ambition, rank, and titles, and honors; to avarice, the mines of Mexico. To each person whom he addresses, he presents the object adapted to his taste: his recruiting officers are appointed; men are engaged throughout the continent; civil life is indeed quiet upon its surface; but in its bosom this man has contrived to deposit the materials which, with the slightest touch of his match, produces an explosion to shake the continent. All this his restless ambition has contrived; and in the autumn of 1806, he goes forth for the last time, to apply his match. On this excursion he meets with Blennerhassett.

Who is Blennerhassett? A native of Ireland, a man of letters, who fled from the storms of his own country to find quiet in ours. His history shows that war is not the natural element of his mind; if it had been, he would never have exchanged Ireland for America. So far is an army from furnishing the society natural and proper to Mr. Blennerhassett's character, that on his arrival in America, he retired even from the population of the Atlantic states, and sought quiet and solitude in the bosom of our western forests. But he carried with him taste, and science, and wealth; and "lo, the desert smiled." Possessing himself of a beautiful island in the Ohio, he rears upon it a palace and decorates it with every romantic embellishment of fancy. A shrubbery that Shenstone might have envied, blooms around him; music that might have charmed Calypso and her nymphs, is his; an extensive library spreads its treasures before him; a philosophical apparatus offers to him all the secrets and mysteries of nature; peace, tranquillity and innocence shed their mingled delights around him; and to crown the enchantment of the scene, a wife, who is said to be lovely even beyond her sex, and graced with every accomplishment that can render it irresistible, had blessed him with her love, and made him the father of her children. The *evidence* would convince you, sir, that this is but a faint picture of the real life. In the midst of all this peace, this innocence, and this tranquillity, this feast of the mind, this pure banquet of the heart—the destroyer comes—he comes to turn this paradise into a hell—yet the flowers do not wither at his approach and no monitory shuddering through the bosom of their unfortunate possessor, warns him of the ruin that is coming upon him. A stranger presents himself. Introduced to their civilities by the high rank which he had lately held in his country, he soon finds his way to their hearts by the dignity and elegance of his demeanor, the light and beauty of his conversation, and the seductive and fascinating power of his address. The conquest was not a difficult one. Innocence is ever simple and credulous; conscious of no designs itself, it suspects none in others; it wears no guards before its breast; every door, and portal, and avenue of the heart is thrown open, and all who choose it enter. Such was the state of Eden, when the serpent entered its bowers.

The prisoner in a more engaging form, winding himself into the open and unpractised heart of the unfortunate Blennerhassett, found but little difficulty in changing the native character of that heart and the objects of its affection. By degrees he infuses into it the poison of his own ambition; he breathes into it the fire of his own courage; a daring and a desperate thirst for glory; an ardor panting for all the storm, and bustle, and hurricane of life. In a short time the whole man is changed, and every object of his former delight relinquished. No more he enjoys the tranquil scene: it has become flat and insipid to his taste: his books are abandoned: his retort and crucible are thrown aside: his shrubbery blooms and breathes its fragrance upon the air in vain—he likes it not: his ear no longer drinks the rich melody of music; it longs for the trumpet's clangor, and the cannon's roar; even the prattle of his babes, once so sweet, no longer affects him; and the angel smile of his wife, which hitherto touched his bosom with ecstasy so unspeakable, is now unfelt and unseen. Greater objects have taken possession of his soul—his imagination has been dazzled by visions of diadems, and stars, and garters, and titles of nobility: he has been taught to burn with restless emulation at the names of Cromwell, Cæsar, and Bonaparte. His enchanted island is destined soon to relapse into a desert; and in a few months, we find the tender and beautiful partner of his bosom, whom he lately "permitted not the winds of" summer "to visit too roughly" we find her shivering, at midnight, on the winter banks of the Ohio, and mingling her tears with the torrents that froze as they fell. Yet this unfortunate man, thus deluded from his interest and his happiness—thus seduced from the paths of innocence and peace—thus confounded in the toils which were deliberately spread for him, and overwhelmed by the mastering spirit and genius of another—this man, thus ruined and undone, and made to play a subordinate part in this grand drama of guilt and treason—this man is to be called the principal offender; while he, by whom he was thus plunged and steeped in misery, is comparatively innocent—a mere accessory. Sir, neither the human heart nor the human understanding will bear a perversion so monstrous and absurd; so shocking to the soul; so revolting to reason. O! no sir. There

is no man who knows anything of this affair, who does not know that to everybody concerned in it, Aaron Burr was as the sun to the planets which surround him; he bound them in their respective orbits, and gave them their light, their heat, and their motion. Let him not then shrink from the high destination which he has courted; and having already ruined Blennerhassett in fortune, character and happiness forever, attempt to finish the tragedy by thrusting that ill-fated man between himself and punishment.

RICHARD RUSH ON IMPRESSMENT OF AMERICAN SEAMEN.

THE seizure of the persons of American citizens under the name and the pretexts of impressment, by the naval officers of Great Britain, is an outrage of that kind which makes it difficult to speak of it in terms of appropriate description; for this, among other reasons, that the offence itself is new. It is probable that the most careful researches into history, where indeed of almost every form of rapine between men and between nations is to be found the melancholy record, will yet afford no example of the systematic perpetration of an offence of a similar nature, perpetrated, too, under a claim of right. To take a just and no other than a serious illustration, the only parallel to it is to be found in the African slave-trade; and if an eminent statesman of England once spoke of the latter, as the greatest practical evil that had ever afflicted mankind, we may be allowed to denominate the former the greatest practical offence that has ever been offered to a civilized and independent state.

Under a mere personal view of this outrage, and considering it on the footing of a moral sin, it is strictly like the African slave-trade. Like that it breaks up families and causes hearts to bleed. Like that it tears the son from the father, the father from the son. Like that it makes orphans and widows, takes the brother from the sister, seizes up the young man in the health of his days and blasts his hopes forever. It is worse than the slavery of the African, for the African is only made to work under the lash of a task-

master, whereas, the citizen of the United States, thus enslaved, receives also the lash on the slightest lapses from a rigorous discipline, and is moreover exposed to the bitter fate of fighting against those towards whom he has no hostility, perhaps his own countrymen—it may be, his own immediate kindred. This is not exaggeration, fellow-citizens, it is reality and fact.

But, say the British, we want not *your* men; we want only our own. Prove that they are *yours*, and we will surrender them up. Baser outrage! insolent indignity! that a free-born American must be made to *prove* his nativity to those who have previously violated his liberty, else he is to be held forever as a slave! That before a British tribunal—a British boarding officer—a free-born American must be made to seal up the vouchers of his lineage, to exhibit the records of his baptism and his birth, to establish the identity that binds him to his parents, to his blood, to his native land, by setting forth in odious detail his size, his age, the shape of his frame, whether his hair is long or cropt—his marks—like an ox or a horse of the manger—that all this must be done as the condition of his escape from the galling thralldom of a British ship! Can we hear it, can we think of it, with any other than indignant feelings at our tarnished name and nation? And suppose through this degrading process his deliverance to be effected, where is he to seek redress for the immediate wrong? The-unauthorized seizure and detention of any piece of property, a mere trespass upon goods, will always lay the foundation for some, often the heaviest retribution, in every well regulated society. But to whom, or where, shall our imprisoned citizen, when the privilege of shaking off his fetters has at last been accorded to him, turn for *his* redress? where look to reimburse the stripes, perhaps the wounds he has received—his worn spirit—his long inward agonies? No, the public code of nations recognizes not the penalty, for to the modern rapaciousness of Britain it was reserved to add to the dark catalogue of human sufferings, this flagitious crime.

But why be told that, even on such proofs, our citizens will be released from their captivity? We have long and sorely experienced the impracticable nature of this boon, which, in the imagined relaxation of her deep injustice, she would affect to hold out.

Go to the office of the Department of State, within sight of where we are assembled, and there see the piles of certificates and documents, of affidavits, records, and seals, anxiously drawn out and folded up—to show why Americans should not be held as slaves—and see how they rest, and will forever rest, in hopeless neglect upon the shelves. Some defect in form, some impossibility of filling up all the crevices which British exaction insists upon being closed; the uncertainty, if, after all, they will ever reach their point of destination, the climate or the sea where the hopes of gain or the lust of conquest are impelling, through constant changes, their ships; the probability that the miserable individual to whom they are intended as the harbinger of liberation from his shackles, may have been translated from the first scene of his incarceration to another, from a seventy-four to a sixty-four, from a sixty-four to a frigate, and thus through rapid, if not designed mutations, a practice which is known to exist—these are obvious causes of discouragement, by making the issues at all times doubtful, most frequently hopeless. And this Great Britain cannot but know. She does know it, and, with deliberate mockery, in the composure with which bloated power can scoff at submissive and humble suffering, has she continued to increase and protract our humiliation, as well as our suffering, by renewals of the visionary offer.

Again it is said, that *our* citizens resemble *their* men, look like them in their persons, speak the same language, that discriminations are difficult and impracticable, and therefore it is they are unavoidably seized. Most insulting excuse! And will they impeach that God who equally made us both? who forms our features, moulds our statures, and stamps us with a countenance that turns up to his goodness in adoration and love! Impious as well as insulting! The leopard cannot change his spots or the Ethiopian his skin, but *we, we*, are to put off our bodies and become unlike ourselves, as the price of our safety! Why should similarity of face yoke *us* exclusively with an ignominious burden? why, because we were once descended from them, should we be made at this day, and forever, to clank chains? Suppose one of *their* subjects landed upon *our* shores—let us suppose him a prince

of their blood—shall we seize upon him to mend our highways, shall we draft *him* for *our* ranks? shall we subject him in an instant to all the civil burthens of duty, of taxation, of every species of aid and service that grow out of the allegiance of the citizen, until he can send across the ocean for the registers of *his* family and birth? What has her foul spirit of impressment to answer to this? Why not equally demand on *our* part that every one of her factors who lands upon our soil should bring a *protection* in his pocket, or hang one round his neck, as the price of *his* safety? If this plea of monstrous outrage be, only for one instant, admitted, remember, fellow-citizens, that it becomes as lasting as monstrous. If our children, and our children's children, and their children, continue to speak the same tongue, to hold the same port with their fathers, *they* also will be liable to this enslavement, and the groaning evil be co-existent with British power, British rapacity, and the maxim *that the British navy must have men!* If our men are like theirs, it should form, to any other than a nation callous to justice, dead to the moral sense, and deliberately bent upon plunder, the very reason why they should give up the practice, seeing that it is intrinsically liable to these mistakes, and that the exercise of what they call a right on their part necessarily brings with it certain, eternal, and the most high-handed wrongs to us.

I am a Roman citizen! I am a Roman citizen! was an exclamation that insured safety, commanded respect, or inspired terror in all parts of the world. And although the mild temper of our government exacts not all these attributes, we may, at least, be suffered to deplore, with hearts of agony and shame, that while the inhabitants of every other part of the globe enjoy an immunity from the seizure of their persons, except under the fate of war, or by acknowledged pirates—even the wretched Africans of late—to be an *American citizen* has, for five-and-twenty years, been the signal for insult and the passport to captivity. Let it not be replied that the men they take from us are sometimes not of a character or description to attract the concern or interposition of the government. If they were all so, it lessens in no wise the enormity of the outrage. It adds indeed a fresh indignity to mention

it. The sublime equality of justice recognizes no such distinctions, and a government founded on the great basis of equal right, would forget one of its fundamental duties, if in the exercise of its protecting power it admits to a foreign nation the least distinction between what it owes to the lowest and meanest, and the highest and most exalted of its citizens.

Sometimes it is said that but few of our seamen are in reality seized ! Progressive and foul aggravation ! to admit the crime to our faces and seek to screen its atrocity under its limited extent. Whence but from a source hardened with long rapine, could such a palliation flow ? It is false. The files of that same department, its melancholy memorials, attest that there are thousands of our countrymen at this moment in slavery in their ships. And if there were but one hundred, if there were but fifty, if there were but ten—if there were but one, how dare they insult a sovereign nation with such an answer ? Shall I state to you a fact, fellow-citizens, that will be sufficient to rouse not simply your indignation, but your horror, and would that I could speak it at this moment to the whole nation, that every American who has a heart to be inflamed with honest resentment might hear ;—a fact that shows all the excess of shame that should flush our faces at submission to an outrage so foul. I state to you, upon the highest and most unquestionable authority, that two of the nephews of your immortal Washington have been seized, dragged, made slaves of on board of a British ship ! Will it be credited ? It is nevertheless true. They were kept in slavery more than a year, and, as the transactions of your government will show, were restored to their liberty only a few months since.* How, Americans, can you sit down under such indignities ? To which of their princes, which of their nobles, to which of their ministers or which of their regents, will you allow, in the just pride of men and of freemen, that those who stand in consanguinity to the illustrious founder of your liberties, are second in all their claims to safety and protection ? But we must leave the odious subject.

* They were the sons of the late Fielding Lewis of Virginia, who was immediate nephew to General Washington : for all which see the papers on file in the office of the Secretary of State.

It swells indeed with ever fruitful expansion, to the indignant view, but while it animates it is loathsome. If the English say it is merely an abuse incident to a right on their part, besides denying forever the foundation of such right where it goes to the presumptuous entry of our own vessels with their armed men, shall we tolerate its exercise for an instant when manifestly attended with such a practical, unceasing, and enormous oppression upon ourselves?

This crime of impressment may justly be considered—posterity will so consider it—as transcending the amount of all the other wrongs we have received. Notwithstanding the millions which the cupidity of Britain has wrested from us; the millions which the cupidity of France has wrested from us, including the wicked burnings of our ships—adding also the wrongs from Spain and Denmark—the sum of all should be estimated below this enormity. Ships and merchandise belong to individuals, and may be valued; may be endured as subjects of negotiation. But *men* are the property of the *nation*. In every American face a part of our country's sovereignty is written. It is the living emblem—a thousand times more sacred than the nation's flag itself—of its character, its independence, and its rights—its quick and most dearly cherished insignium—towards which the nation should ever demand the most scrupulous and inviolable immunity, being instantly sensitive under the flagrant indignity of the slightest infringement of its beaming, vivid attributes of sovereignty! Man was created in his Maker's own image—"in the image of God created he him." When he is made a slave, where shall there be reimbursement? No, fellow-citizens, under the assistance and protection of the Most High, the evil must be stopped. His own image must not be enslaved. It was deservedly the first enumerated of our grievances in the late solemn message from the first magistrate of our land; on the eighteenth of June of this memorable year we appealed to the sword and to heaven against it, and we shall be wanting to ourselves, to our posterity—we shall never stand erect in our sovereignty as a nation, if we return it to the scabbard until such an infamy and a curse are finally and effectually removed. The blessings of peace itself become a curse,

a foul curse, while such a stain is permitted to rest upon our annals. Never, henceforth, must American ships be converted into worse than butcher's shambles for the inspection and seizure of human flesh! We would appeal to the justice and humanity of their own statesmen, claim the interference of their Wilberforces—invoke the spirit of their departed Fox—call upon all among them who nobly succeeded in their long struggles against the African slave-trade, to stand up and retrieve the British name from the equal odium of this offence.

If it be true that the injuries long acquiesced in lose the power of exciting sensibility, it may be remarked, in conclusion of this hateful subject, how forcibly verified it is in the instance of robbing us of our citizens. When it happens that some of them are surrendered up, *on examination and allowance of the proofs*, it is not unusual to advert to it as an indication of the justice and generosity of the British! The very act, which, to an abstract judgment, should be taken as stamping a seal upon the outrage, by the acknowledgment it implies from themselves of the atrocity, because of the unlawfulness of the seizure, is thus converted into a medium of homage and of praise! Inverted patriotism! drooping, down-cast honor! to derive a pleasurable sensation from the insulting confession of a crime!

Next to a just war, fellow-citizens, we wage a defensive one. This is its true and only character. Our fields were not, indeed, invaded, or our towns entered and sacked. But still it is purely a war of defence. It was to stop reiterated encroachments we took up arms. Persons, property, rights, character, sovereignty, justice, all these were contumaciously invaded at our hands. Let impartial truth say, if it were for ambition, or conquest, or plunder, or through any false estimate of character, or pride we appealed to the sword. No, Americans! No! Republicans, there will rest no such blot upon your moderate, your pacific councils. It is an imperfect view of this question which takes as a defensive war, only that which is entered upon when the assailant is bursting through your doors and levelling the musket at the bosoms of your women and children. Think how a nation may be abridged, may be dismantled of its rights, may be cut down in its liberties, this side of

an open attack. The Athenian law punished seduction of female honor more severely than it did force. And the nation that would adopt it as a maxim to lie by under whatever curtailments of its sovereignty, resolving upon no resistance until the actual investment of its soil, might find itself too fatally trenched upon, too exhausted in resources, or too enfeebled in spirit, to rouse itself when the foe was rushing through the gates.

The war-whoop of the Indian had indeed been heard in the habitations of our frontier; and it is impossible to abstain from imputing to the agency of our enemy this horrid species of invasion. Their hand must be in it. For although it may not be directly instigated by their government on the other side of the water, yet past proofs make it to the last degree probable that the intrigues of their sub-agents in the Canadas are instrumental to the wickedness. Nor will a rational mind hesitate to infer that the same spirit which, from that quarter at least, could send, for the most nefarious purposes, a polished spy through our cities, would also, varying the form of its iniquity, let loose upon us the hatchet and the scalping-knife. Great Britain indeed had not *declared* war against us *in form*, but she had *made* it upon us *in fact*. She had plundered us of our property, she had imprisoned our citizens nor can any accommodation now erase from our memories, although it may from our public discussions, the bloody memorials of her attack upon the Chesapeake.

.Since, fellow-citizens, that through all these motives a war with Britain has been cast upon us, while bearing up against whatever of pressure it may bring with the energy and the hope of our fathers, let us deduce also this of consolation: that it will, more than anything else, have a tendency to break the sway which that nation is enabled to hold over us. I would address myself on this point to the candid minds of our countrymen, and to all such among them as have bosoms penetrated with a genuine love for our republican systems. We form, probably for the first time in all history, the instance of a nation descended, and politically detached from another, but still keeping up the most intimate connections with the original and once parent stock. The similarity of our manners and customs; our language being one, and our

religion nearly one; the entire identity in individual appearance, and in all things else, which is spread before the American and the English eye; our boundless social intercommunication; the very personal respectability, in so many instances, of those of that nation who, in such numbers, come to this; pecuniary connections so universal and unlimited; dependent upon her loom, dependent upon her fashions, dependent upon her judicature, dependent upon her drama—reading none but her books, or scarcely any others; taking up her character and actions chiefly at the hands of her own annalists or panegyrists; nothing in fine that comes from that quarter being regarded as foreign, but as well her inhabitants as her modes of life and all her usages, being taken to be as of our own—these complicated similitudes operate like cramps and holdings to bind us insensibly to her sides, yielding to her an easy, an increasing, and an unsuspected ascendancy.

It may be said this is an advantageous ascendancy; that as a young people, we may profit of the intimacy, have her arts and her manners, copy her many meliorations of existence, eat of her intellectual food and get stamina the more quickly upon its nourishment. But stop, Americans! do you not know that this same people are the subjects of an old and luxurious monarchy, with all the corrupt attachments to which it leads; that if not their duty, it is naturally their practice to breathe the praise and inculcate the love of their own forms of polity? Do you not know, that if not the correlative duty, it is, as certainly, the correlative practice, to deal out disapprobation, even contempt for our own, and the habits which alone they should superinduce? And is there not cause for apprehension that the superiority which we so easily, often so slavishly, choose to yield her on all other points—that the moral prostration in which we consent to fall before her footstool—may also trench upon the reverence due to our own public institutions, producing results at which all our fears should startle? If, fellow-citizens, our freedom, our republican freedom, which, to make lasting, we should cherish with uninterrupted constancy and the purest love, has a foe more deadly than any other, it is probably this; this is the destroying spirit which can make its way slowly and unperceived, but surely and fatally. If we stood farther off—much

farther off—from Britain, we should still be near enough to derive all that she has valuable, while we should be more safe from the poison of her political touch. Just as, at this day, we can draw upon the repositories of genius and literature among the ancients, while we escape the vices of paganism and the errors of their misleading philosophy. But if Athenian citizens filled our towns; if we spoke their language, wore their dress, took them to our homes; if we kept looking up to them with general imitation and subserviency, the truths of Christianity themselves would be in danger of yielding to the adoration of the false gods!

This war may produce, auspiciously and forever, the effect of throwing us at a safer distance from so contaminating an intimacy, making our liberty thrive more securely, and ourselves more independent—privately and politically. From no other nation are we in danger in the same way; for, with no other nation have we the same affinities, but, on the contrary, numerous points of repulsion that interpose as our guard. Let us have a shy connection with them all, for history gives the admonition, that for the last twenty years, every nation of the world that has come too close in friendship with either our present enemy, or her neighbor, the ferocious giant of the land, has lost its liberties, been prostrated, or been ravaged. After the war of our revolution, we were still so much in the feebleness of youth as to take the outstretched hand of Britain, who could establish our industry, shape our occupations, and give them, involuntarily to ourselves, the direction advantageous to her views. But, henceforth, we shall stand upon a pedestal whose base is fixed among ourselves, whence we may proudly look around and afar—from the ocean to the mountains, from the mountains to the farthest west, beholding our fruitful fields, listening to the hammer of our work-shops, the cheerful noise of our looms:—where the view, on all sides, of native numbers, opulence and skill, will enable us to stamp more at pleasure the future destinies of our happy land. Possibly, also, the sameness of our pursuits in so many things, with Britain, instead of pointing to close connections with her, as *her* politicians so steadily hold up, will at length indicate to the foresight of our own states-

men unalterable reasons to an intercourse more restrained—it may be the elements of a lasting rivalship.

Animated by all the motives which demand and justify this contest, let us advance to it with resolute and high-beating hearts, supported by the devotion to our beloved country, which wishes for her triumphs cannot fail to kindle. Dear to us is this beloved country, far dearer than we can express, for all the true blessings that flourish within her bosom ; the country of our fathers, the country of our children, the scene of our dearest affections—whose rights and liberties have been consecrated by the blood whose current runs so fresh in our own veins. Who shall touch such a country, and not fire the patriotism and unsheath the swords of us all ? No, Americans ! while you reserve your independent privilege of rendering, at all times, your suffrages as you please, let our proud foe be undeceived. Let her, let the world learn, now and forever, that the voice of our nation, when once legitimately expressed, is holy—is imperious ! that it is a summons of duty to every citizen ; that when we strike at a foreign foe, the sacred bond of country becomes the pledge of a concentrated effort ; that in such a cause, and at such a crisis, we feel but one heart, and strike with our whole strength ! We are the only nation in the world, fellow-citizens, where the people and the government stand, in all things, identified ; where all the acts of the latter are immediately submitted to the superior revision of the former ; where every blow at the general safety becomes the personal concern of each individual. Happy people, happy government ! will you give up, will you not defend, such blessings ? We are also perhaps the only genuine republic which, since the days of the ancients, has taken up arms against a foreign foe in defence of its rights and its liberties. Animating thought ! warmed with the fire of ancient freedom, may we not expect to see the valor of Thermopylæ and Marathon again displayed ! The Congress of eighteen hundred and twelve, here, within these august walls, have proclaimed to the world that other feelings than those of servility, avarice, or fear, pervade the American bosom ; that in the hope and purity of youth, we are not debased by the passions of a corrupt old age ; that our sensibilities are other than sordid ; that

we are ambitious of the dignified port of freemen ; that while pacific, we know the value of national rights and national justice, and with the spirit due to our lasting prosperity as a republic, design to repel authenticated outrages upon either. That we will and dare act as becomes a free, an enlightened, and a brave people. Illustrious Congress ! worthy to have your names recounted with the illustrious fathers of our revolution ! for what grievances were those that led to the great act which made us a nation, that have not been equalled, shall I say have not been surpassed, by those which moved to your deed ? and what noble hazards did they encounter which you ought not to brave ?

If we are not fully prepared for war, let the sublime spectacle be soon exhibited, that a free and a valiant nation, with our numbers, and a just cause, is always a powerful nation ; is always ready to defend its essential rights ! The Congress of '76 declared Independence and hurled defiance at the same insatiate foe, six-and-thirty years ago, with an army of seventeen thousand hostile troops just landed upon our shores ; and shall we *now* hesitate ? shall we bow our necks in submission, shall we make an ignominious surrender of our birthright, under the plea that we are not prepared to defend it ? No, Americans ! Yours has been a pacific republic, and therefore has not exhibited military preparation ; but it is a free republic, and therefore will it now, as before, soon command battalions, discipline, courage ! Could a general of old by only stamping on the earth raise up armies, and shall a whole nation of freemen, at such a time, know not where to look for them ? The soldiers of Bunker's Hill, the soldiers of Bennington, the soldiers of the Wabash, the seamen of Tripoli, contradict it !

By one of the surviving patriots of our revolution I have been told, that in the Congress of 1774, among other arguments used to prevent a war, and separation from Great Britain, the danger of having our towns battered down and burnt was zealously urged. The venerable Christopher Gadsden, of South Carolina, rose and replied to it in these memorable words : " Our seaport towns, Mr. President, are composed of brick and wood. If they are destroyed, we have clay and timber enough in our country to rebuild them.

But, if the liberties of our country are destroyed, where shall we find the materials to replace them?" Behold in this an example of virtuous sentiment fit to be imitated.

Indulge me with another illustration of American patriotism, derived from the same source. During the siege of Boston, General Washington consulted Congress upon the propriety of bombarding the town. Mr. Hancock was then President of Congress. After General Washington's letter was read, a solemn silence ensued. This was broken by a member making a motion that the house should resolve itself into a committee of the whole, in order that Mr. Hancock might give his opinion upon the important subject, as he was so deeply interested from having all his estate in Boston. After he left the chair, he addressed the chairman of the committee of the whole in the following words: "It is true, sir, nearly all the property I have in the world is in houses and other real estate in the town of Boston; but if the expulsion of the British army from it, and the liberties of our country require their being burnt to ashes—issue the order for that purpose immediately."

What has ancient or modern story to boast beyond such elevated specimens of public virtue? and what inspiring lessons of duty do they teach to us? War, fellow-citizens, is not the greatest of evils. Long submission to injustice is worse. Peace, a long peace, a peace purchased by mean and inglorious sacrifices, is worse, is far worse. War takes away a life destined by nature to death. It produces chiefly bodily evils. But when ignoble peace robs us of virtue, debases the mind, and chills its best feelings, it renders life a living death, and makes us offensive above ground. The evils of ignoble peace are, an inordinate love of money—rage of party spirit—and a willingness to endure even slavery itself rather than bear pecuniary deprivations or brave manly hazards. The states of Holland and of Italy will be found, at several stages of their history, strikingly to exemplify this remark.

War in a just cause produces patriotism: witness the speech of Gadsden! It produces the most noble disinterestedness where our country is concerned: witness the speech of Hancock! It serves to destroy party spirit, which may become worse than war. In

war death is produced without personal hatred ; but under the influence of party spirit inflamed by the sordid desires of an inglorious peace, the most malignant passions are generated, and we hate with the spirit of murderers.

Could the departed heroes of the revolution rise from their sleep, and behold their descendants hanging contentedly over hoards of money, or casting up British invoices, while so long a list of wrongs still looked them in the face, calling for retribution, what would they say ? would they not hasten back to their tombs, now more welcome than ever, since they would conceal from their view the base conduct of those sons for whom they so gallantly fought, and so gallantly fell ? But stop, return, return, illustrious band ! stay and behold, stay and applaud what we too are doing ! we will not dishonor your noble achievements ! we will defend the inheritance you bequeathed us,—we will wipe away all past stains, we will maintain our rights at the sword, or like you, we will die ! Then shall we render our ashes worthy to mingle with yours !

Sacred in our celebrations be this day to the end of time ! Revered be the memories of the statesmen and orators whose wisdom led to the act of Independence, and of the gallant soldiers who sealed it with their blood ! May the fires of their genius and courage animate and sustain us in our contest, and bring it to a like glorious result ! may it be carried on with singleness to the objects that alone summoned us to it—as a great and imperious duty, irksome yet necessary ! May there be a willing, a joyful immolation of all selfish passions on the altar of a common country ! may the hearts of our combatants be bold, and, under a propitious heaven, their swords flash victory ! may a speedy peace bless us, and the passions of war go off, leaving in their place a stronger love of country and of each other ! Then may pacific glories, accumulating and beaming from the excitement of the national mind, long be ours :—a roused intellect, a spirit of patriotic improvement in whatever can gild the American name ;—in arts, in literature, in science, in manufactures, in agriculture, in legislation, in morals, in imbuing our admirable forms of polity with still more and more perfection—may these then long be ours ! may common perils and common triumphs bind us more closely together ! may the

era furnish names to our annals "on whom late time a kindling eye shall turn!" Revered be the dust of those who fall, sweet their memories!—their country vindicated, their duty done, an honorable renown, the regrets of a nation, the eulogies of friendship, the slow and moving dirges of the camp, the tears of beauty—all, all, will sanctify their doom!—Honored be those who outlive the strife of arms!—our rights established, justice secured, a haughty foe taught to respect the freemen she had abused and plundered—to survive to such recollections and such a consciousness, is there, can there be, a nobler reward!

PATRICK HENRY BEFORE A CONVENTION OF DELEGATES,
VIRGINIA.

MR. HENRY arose with a majesty unusual to him in an exordium, and with all that self-possession by which he was so invariably distinguished. "No man," he said, "thought more highly than he did of the patriotism, as well as abilities, of the very worthy gentlemen who had just addressed the house. But different men often saw the same subject in different lights; and, therefore, he hoped it would not be thought disrespectful to those gentlemen, if, entertaining as he did, opinions of a character very opposite to theirs, he should speak forth his sentiments freely, and without reserve. This was no time for ceremony. The question before the house was one of awful moment to this country. For his own part, he considered it as nothing less than a question of freedom or slavery. And in proportion to the magnitude of the subject, ought to be the freedom of the debate. It was only in this way that they could hope to arrive at truth, and fulfil the great responsibility which they held to God and their country. Should he keep back his opinions at such a time, through fear of giving offence, he should consider himself as guilty of treason toward his country, and of an act of disloyalty toward the Majesty of Heaven, which he revered above all earthly kings.

"Mr. President, it is natural to man to indulge in the illusions

of hope. We are apt to shut our eyes against a painful truth—and listen to the song of that syren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Were we disposed to be of the number of those, who having eyes, see not, and having ears, hear not the things which so nearly concern their temporal salvation? For his part, whatever anguish of spirit it might cost, he was willing to know the whole truth; to know the worst; and to provide for it.

“He had but one lamp by which his feet were guided; and that was the lamp of experience. He knew of no way of judging of the future but by the past. And judging by the past, he wished to know what there had been in the conduct of the British ministry, for the last ten years, to justify those hopes with which gentlemen had been pleased to solace themselves and the house? Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation—the last argument to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us: they can be meant for no other. They are sent over to bind and rivet upon us those chains, which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find, which have not been already exhausted?

"Let us not, I beseech you, sir, deceive ourselves longer. We have done everything that could be done, to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight!—I repeat it, sir, we must fight!! An appeal to arms, and to the God of Hosts, is all that is left us!

"They tell us, sir, that we are weak—unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope, until our enemies have bound us, hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God, who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains

are forged. Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come!! I repeat it, sir, let it come!!! It is in vain, sir, to extenuate the matter. Gentlemen may cry peace, peace—but there is no peace. The war is actually begun! The next gale that sweeps from the north, will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me,” cried he, with both his arms extended aloft, his brows knit, every feature marked with the resolute purpose of his soul, and his voice swelled to its boldest note of exclamation—“give me liberty, or give me death!”

He took his seat. No murmur of applause was heard. The effect was too deep. After the trance of a moment, several members started from their seats. The cry, “to arms,” seemed to quiver on every lip, and gleam from every eye! Richard H. Lee arose and supported Mr. Henry, with his usual spirit and elegance. But his melody was lost amidst the agitation of that ocean, which the master-spirit of the storm had lifted up on high. That supernatural voice still sounded in their ears, and shivered along their arteries. They heard, in every pause, the cry of liberty or death. They became impatient of speech—their souls were on fire for action.

CHARACTER OF WASHINGTON.

It is natural that the gratitude of mankind should be drawn to their benefactors. A number of these have successively arisen, who were no less distinguished for the elevation of their virtues than the lustre of their talents. Of those, however, who were born, and who acted through life as if they were born, not for themselves but for their country and the whole human race, how few, alas! are recorded on the long annals of ages, and how wide the intervals of time and space that divide them. In all this

dreary length of way, they appear like five or six light-houses on as many thousand miles of coast : they gleam upon the surrounding darkness, with an inextinguishable splendor, like stars seen through a mist ; but they are seen like stars, to cheer, to guide, and to save. Washington is now added to that small number. Already he attracts curiosity, like a newly-discovered star, whose benignant light will travel on to the world's and time's farthest bounds. Already his name is hung up by history as conspicuously as if it sparkled in one of the constellations of the sky.

The best evidence of reputation is a man's whole life. We have now, alas ! all Washington's before us. There has scarcely appeared a really great man, whose character has been more admired in his life-time, or less correctly understood by his admirers. When it is comprehended, it is no easy task to delineate its excellencies in such a manner, as to give to the portrait both interest and resemblance ; for it requires thought and study to understand the true ground of the superiority of his character over many others, whom he resembled in the principles of action, and even in the manner of acting. But perhaps he excels all the great men that ever lived, in the steadiness of his adherence to his maxims of life, and in the uniformity of all his conduct to the same maxims. These maxims, though wise, were yet not so remarkable for their wisdom, as for their authority over his life : for if there were any errors in his judgment, we know of no blemishes in his virtue. He was the patriot without reproach : he loved his country well enough to hold his success in serving it an ample recompense. Thus far, self-love and love of country coincided : but when his country needed sacrifices, that no other man could, or perhaps would be willing to make, he did not even hesitate. This was virtue in its most exalted character. More than once he put his fame at hazard, when he had reason to think it would be sacrificed, at least in this age.

It is indeed almost as difficult to draw his character, as the portrait of virtue. The reasons are similar : our ideas of moral excellence are obscure, because they are complex, and we are obliged to resort to illustrations. Washington's example is the happiest, to show what virtue is ; and to delineate his character, we natu

rally expatiate on the beauty of virtue : much must be felt, and much imagined. His pre-eminence is not so much to be seen in the display of any one virtue, as in the possession of them all, and in the practice of the most difficult. Hereafter, therefore, his character must be studied before it will be striking ; and then it will be admitted as a model, a precious one to a free republic !

It is no less difficult to speak of his talents. They were adapted to lead, without dazzling mankind ; and to draw forth and employ the talents of others, without being misled by them. In this he was certainly superior, that he neither mistook nor misapplied his own. His great modesty and reserve would have concealed them, if great occasions had not called them forth ; and then, as he never spoke from the affectation to shine, nor acted from any sinister motives, it is from their effects only that we are to judge of their greatness and extent. In public trusts, where men, acting conspicuously, are cautious, and in those private concerns, where few conceal or resist their weaknesses, Washington was uniformly great, pursuing right conduct from right maxims. His talents were such as assist sound judgment, and ripen with it.

His prudence was consummate, and seemed to take the direction of his powers and passions ; for, as a soldier, he was more solicitous to avoid mistakes that would be fatal, than to perform exploits that were brilliant ; and as a statesman, to adhere to just principles, however old, than to pursue novelties ; and therefore, in both characters, his qualities were singularly adapted to the interest, and were tried in the greatest perils of the country. His habits of inquiry were so far remarkable, that he was never satisfied with investigating, nor desisted from it, so long as he had less than all the light that he could obtain upon a subject ; and then he made his decision without bias. This command over the partialities that so generally stop men short, or turn them aside in their pursuit of truth, is one of the chief causes of his unvaried course of right conduct in so many difficult scenes, where every human actor must be presumed to err. If he had strong passions, he had learned to subdue them, and to be moderate and mild. If he had weaknesses, he concealed them, which is rare,

and excluded them from the government of his temper and conduct, which is still more rare.

If he loved fame, he never made improper compliances for what is called popularity. The fame he enjoyed is of the kind that will last forever ; yet it was rather the effect, than the motive of his conduct. Some future Plutarch will search for a parallel to his character. Epaminondas is perhaps the brightest name of all antiquity. Our Washington resembled him in the purity and ardor of his patriotism ; and, like him, he first exalted the glory of his country. There, it is to be hoped, the parallel ends : for Thebes fell with Epaminondas. But such comparisons cannot be pursued far, without departing from the similitude. For we shall find it as difficult to compare great men as great rivers : some we admire for the length and rapidity of their current, and the grandeur of their cataracts ; others, for the majestic silence and fulness of their streams : we cannot bring them together to measure the difference of their waters. The unambitious life of Washington, declining fame, yet courted by it, seemed, like the Ohio, to choose its long way through solitudes, diffusing fertility ; or, like his own Potomac, widening and deepening his channel, as he approaches the sea, and displaying most the usefulness and serenity of his greatness towards the end of his course. Such a citizen would do honor to any country, and the constant veneration and affection of *his* country, will show that it was worthy of such a citizen.

GENERAL WASHINGTON TO CONGRESS ON ACCEPTING HIS COMMISSION.

MR. PRESIDENT,—Though I am truly sensible of the high honor done me, in this appointment, yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important trust : however, as the Congress desire it, I will enter upon the momentous duty and exert every power I possess in their service, and for support of the glo-

rious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation.

But, lest some unlucky event should happen, unfavorable to my reputation, I beg it may be remembered, by every gentleman in the room, that I, this day, declare with the utmost sincerity, I do not think myself equal to the command I am honored with.

As to pay, sir, I beg leave to assure the Congress, that as no pecuniary consideration could have tempted me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it. I will keep an exact account of my expenses. Those, I doubt not, they will discharge, and that is all I desire.

GENERAL WASHINGTON TO HIS TROOPS PREVIOUS TO THE BATTLE OF LONG ISLAND.

THE time is now near at hand, which must probably determine whether Americans are to be freemen or slaves; whether they are to have any property they can call their own; whether their houses and farms are to be pillaged and destroyed, and themselves consigned to a state of wretchedness, from which no human efforts will deliver them. The fate of unborn millions will now depend, under God, on the courage and conduct of this army. Our cruel and unrelenting enemy, leaves us only the choice of a brave resistance, or the most abject submission. We have therefore to resolve to conquer or to die. Our own, our country's honor, calls upon us for a vigorous and manly exertion; and if we now shamefully fail, we shall become infamous to the whole world. Let us then rely on the goodness of our cause, and the aid of the Supreme Being, in whose hands victory is, to animate and encourage us to great and noble actions. The eyes of all our countrymen are now upon us, and we shall have their blessings and praises, if happily we are the instruments of saving them from the tyranny meditated against them. Let us, therefore, animate and encourage each other, and show the whole world that a freeman contending

for liberty on his own ground, is superior to any slavish mercenary on earth.

Liberty, property, life, and honor are all at stake ; upon your courage and conduct, rest the hopes of our bleeding and insulted country ; our wives, children, and parents, expect safety from us only ; and they have every reason to believe that Heaven will crown with success so just a cause.

The enemy will endeavor to intimidate by show and appearance, but remember they have been repulsed on various occasions by a few brave Americans. Their cause is bad—their men are conscious of it, and if opposed with firmness and coolness on their first onset, with our advantage of works, and knowledge of the ground, the victory is most assuredly ours. Every good soldier will be silent and attentive—wait for orders—and reserve his fire until he is sure of doing execution : of this the officers are to be particularly careful.

GENERAL WASHINGTON TO HIS TROOPS PREVIOUS TO THE BATTLE OF TRENTON.

My friends, it is not only the liberty of America that depends on your valor and firmness, but what ought to be much more dear to you than your lives, your honor ! Think of the infamy which will attend you through life, not only here, but through the whole world, if the campaign closes without some instance that the courage with which you stand to your arms, is equal to the justice of the cause which ought to animate your bosoms. For my own part, I will not survive a defeat, if that defeat arises from any inattention to your safety. Wipe out the stains which have been thrown upon your reputations, by seeking an honorable death ; and give credit to me, that it will be the only means of meeting victory, life and honor.

GENERAL WASHINGTON'S CIRCULAR LETTER TO THE GOVERNORS OF THE SEVERAL STATES.

SIR,—The object for which I had the honor to hold an appointment in the service of my country, being accomplished, I am now preparing to resign it into the hands of Congress, and return to that domestic retirement, which, it is well known, I left with the greatest reluctance; a retirement for which I have never ceased to sigh through a long and painful absence, in which, (remote from the noise and trouble of the world,) I meditate to pass the remainder of life, in a state of undisturbed repose; but, before I carry this resolution into effect, I think it a duty incumbent on me to make this my last official communication, to congratulate you on the glorious events which heaven has been pleased to produce in our favor; to offer my sentiments respecting some important subjects, which appear to me to be intimately connected with the tranquillity of the United States; to take my leave of your excellency as a public character; and to give my final blessing to that country, in whose service I have spent the prime of my life; for whose sake I have consumed so many anxious days and watchful nights, and whose happiness, being extremely dear to me, will always constitute no inconsiderable part of my own.

Impressed with the liveliest sensibility on this pleasing occasion, I will claim the indulgence of dilating the more copiously on the subject of our mutual felicitation. When we consider the magnitude of the prize we contended for, the doubtful nature of the contest, and the favorable manner in which it has terminated; we shall find the greatest possible reason for gratitude and rejoicing. This is a theme that will afford infinite delight to every benevolent and liberal mind, whether the event in contemplation be considered as a source of present enjoyment, or the parent of future happiness; and we shall have equal occasion to felicitate ourselves on the lot which Providence has assigned us, whether we view it in a natural, a political, or moral point of light.

The citizens of America, placed in the most enviable condition, as the sole lords and proprietors of a vast tract of continent, com-

prehending all the various soils and climates of the world, and abounding with all the necessities and conveniences of life, are now, by the late satisfactory pacification, acknowledged to be possessed of absolute freedom and independence: they are from this period to be considered as the actors on a most conspicuous theatre, which seems to be peculiarly designed by Providence for the display of human greatness and felicity. Here they are not only surrounded with everything that can contribute to the completion of private and domestic enjoyment; but heaven has crowned all its other blessings, by giving a surer opportunity for political happiness, than any other nation has ever been favored with. Nothing can illustrate these observations more forcibly than a recollection of the happy conjuncture of times and circumstances, under which our republic assumed its rank among the nations. The foundation of our empire was not laid in a gloomy age of ignorance and superstition, but at an epoch when the rights of mankind were better understood and more clearly defined, than at any former period. Researches of the human mind after social happiness have been carried to a great extent; the treasures of knowledge acquired by the labors of philosophers, sages, and legislators, through a long succession of years, are laid open for us, and their collected wisdom may be happily applied in the establishment of our forms of government. The free cultivation of letters, the unbounded extension of commerce, the progressive refinement of manners, the growing liberality of sentiment; and, above all, the pure and benign light of revelation, have had a meliorating influence on mankind, and increased the blessings of society. At this auspicious period, the United States came into existence as a nation; and if their citizens should not be completely free and happy, the fault will be entirely their own.

Such is our situation, and such are our prospects. But notwithstanding the cup of blessing is thus reached out to us; notwithstanding happiness is ours, if we have a disposition to seize the occasion, and make it our own; yet it appears to me there is an option still left to the United States of America, whether they will be respectable and prosperous, or contemptible and miserable, as a nation. This is the time of their political probation: this is

the moment when the eyes of the whole world are turned upon them : this is the time to establish or ruin their national character forever : this is the favorable moment to give such a tone to the federal government, as will enable it to answer the ends of its institution ; or, this may be the ill-fated moment for relaxing the powers of the union, annihilating the cement of the confederation, and exposing us to become the sport of European politics, which may play one state against another, to prevent their growing importance, and to serve their own interested purposes. -For, according to the system of policy the states shall adopt at this moment, they will stand or fall ; and, by their conformation or lapse, it is yet to be decided, whether the revolution must ultimately be considered as a blessing or a curse, not to the present age alone, for with our fate will the destiny of unborn millions be involved.

With this conviction of the importance of the present crisis, silence in me would be a crime ; I will therefore speak to your excellency the language of freedom and sincerity, without disguise. I am aware, however, those who differ from me in political sentiments may, perhaps, remark, I am stepping out of the proper line of my duty ; and they may possibly ascribe to arrogance or ostentation what I know is alone the result of the purest intention. But the rectitude of my own heart, which disdains such unworthy motives ; the part I have hitherto acted in life ; the determination I have formed of not taking any share in public business hereafter ; the ardent desire I feel, and shall continue to manifest, of quietly enjoying in private life, after all the toils of war, the benefits of a wise and liberal government, will, I flatter myself, sooner or later, convince my countrymen, that I could have no sinister views in delivering, with so little reserve, the opinions contained in this address.

There are four things which I humbly conceive are essential to the well-being, I may even venture to say to the existence, of the United States, as an independent power.

1st. An indissoluble union of the States under one federal head.

2dly. A sacred regard to public justice.

3dly. The adoption of a proper peace establishment. And,

4thly. The prevalence of that pacific and friendly disposition among the people of the United States, which will induce them to

forget their local prejudices and policies; to make those mutual concessions which are requisite to the general prosperity; and, in some instances, to sacrifice their individual advantages to the interest of the community.

These are the pillars on which the glorious fabric of our independence and national character must be supported. Liberty is the basis—and whoever would dare to sap the foundation, or overturn the structure, under whatever specious pretext he may attempt it, will merit the bitterest execration, and the severest punishment, which can be inflicted by his injured country.

On the three first articles I will make a few observations, leaving the last to the good sense and serious consideration of those immediately concerned.

Under the first head, although it may not be necessary or proper for me, in this place, to enter into a particular disquisition of the principles of the union, and to take up the great question which has been frequently agitated, whether it be expedient and requisite for the States to delegate a larger proportion of power to Congress, or not; yet it will be a part of my duty, and that of every true patriot, to assert, without reserve, and to insist upon the following positions:—That unless the States will suffer Congress to exercise those prerogatives they are undoubtedly invested with by the constitution, everything must very rapidly tend to anarchy and confusion: that it is indispensable to the happiness of the individual states, that there should be lodged, somewhere, a supreme power to regulate and govern the general concerns of the confederated republic; without which the union cannot be of long duration: that there must be a faithful and pointed compliance on the part of every state with the late proposals and demands of Congress, or the most fatal consequences will ensue: that whatever measures have a tendency to dissolve the union, or contribute to violate or lessen the sovereign authority; ought to be considered as hostile to the liberty and independence of America, and the authors of them treated accordingly. And, lastly, that unless we can be enabled, by the concurrence of the states, to participate of the fruits of the revolution, and enjoy the essential benefits of civil society, under a form of government so free and uncorrupted, so happily guarded

against the danger of oppression, as has been devised and adopted by the articles of confederation, it will be a subject of regret, that so much blood and treasure have been lavished for no purpose ; that so many sufferings have been encountered without a compensation, and that so many sacrifices have been made in vain. Many other considerations might here be adduced to prove, that without an entire conformity to the spirit of the union, we cannot exist as an independent power. It will be sufficient for my purpose to mention but one or two, which seem to me of the greatest importance. It is only in our united character as an empire, that our independence is acknowledged, that our power can be regarded, or our credit supported among foreign nations. The treaties of the European powers with the United States of America, will have no validity on a dissolution of the union. We shall be left nearly in a state of nature ; or we may find, by our own unhappy experience, that there is a natural and necessary progression from the extreme of anarchy to the extreme of tyranny ; and that arbitrary power is most easily established on the ruins of liberty abused to licentiousness.

As to the second article, which respects the performance of public justice, Congress have, in their late address to the United States, almost exhausted the subject ; they have explained their ideas so fully, and have enforced the obligations the states are under to render complete justice to all the public creditors, with so much dignity and energy, that, in my opinion, no real friend to the honor and independence of America can hesitate a single moment respecting the propriety of complying with the just and honorable measures proposed. If their arguments do not produce conviction, I know of nothing that will have greater influence, especially when we reflect, that the system referred to, being the result of the collected wisdom of the continent, must be esteemed, if not perfect, certainly the least objectionable, of any that could be devised ; and that, if it should not be carried into immediate execution, a national bankruptcy, with all its deplorable consequences, will take place before any different plan can possibly be proposed or adopted ; so pressing are the present circumstances, and such is the alternative now offered to the states.

The ability of the country to discharge the debts which have been incurred in its defence, is not to be doubted; and inclination, I flatter myself, will not be wanting. The path of our duty is plain before us; honesty will be found, on every experiment, to be the best and only true policy. Let us then, as a nation, be just; let us fulfil the public contracts which Congress had undoubtedly a right to make for the purpose of carrying on the war, with the same good faith we suppose ourselves bound to perform our private engagements. In the meantime, let an attention to the cheerful performance of their proper business, as individuals, and as members of society, be earnestly inculcated on the citizens of America; then will they strengthen the bands of government, and be happy under its protection. Every one will reap the fruit of his labors: every one will enjoy his own acquisitions, without molestation and without danger.

In this state of absolute freedom and perfect security, who will grudge to yield a very little of his property to support the common interests of society, and ensure the protection of government? Who does not remember the frequent declarations at the commencement of the war. That we should be completely satisfied if at the expense of one half, we could defend the remainder of our possessions? Where is the man to be found, who wishes to remain in debt, for the defence of his own person and property, to the exertions, the bravery, and the blood of others, without making one generous effort to pay the debt of honor and of gratitude? In what part of the continent shall we find any man, or body of men, who would not blush to stand up and propose measures purposely calculated to rob the soldier of his stipend, and the public creditor of his due? And were it possible that such a flagrant instance of injustice could ever happen, would it not excite the general indignation, and tend to bring down upon the authors of such measures the aggravated vengeance of heaven? If, after all, a spirit of disunion, or a temper of obstinacy and perverseness should manifest itself in any of the states; if such an ungracious disposition should attempt to frustrate all the happy effects that might be expected to flow from the union; if there should be a refusal to comply with requisitions for funds to discharge the annual interest of the public

debts; and if that refusal should revive all those jealousies, and produce all those evils, which are now happily removed, Congress, who have in all their transactions shown a great degree of magnanimity and justice, will stand justified in the sight of God and man! and that state alone, which puts itself in opposition to the aggregate wisdom of the continent, and follows such mistaken and pernicious councils, will be responsible for all the consequences.

For my own part, conscious of having acted while a servant of the public, in the manner I conceived best suited to promote the real interests of my country; having in consequence of my fixed belief, in some measure pledged myself to the army, that their country would finally do them complete and ample justice; and not wishing to conceal any instance of my official conduct from the eyes of the world, I have thought proper to transmit to your excellency the inclosed collection of papers, relative to the half-pay and commutation granted by Congress, to the officers of the army. From these communications my decided sentiment will be clearly comprehended, together with the conclusive reasons which induced me, at an early period, to recommend the adoption of this measure in the most earnest and serious manner. As the proceedings of Congress, the army, and myself, are open to all, and contain, in my opinion, sufficient information to remove the prejudices and errors which may have been entertained by any, I think it unnecessary to say anything more than just to observe, that the resolutions of Congress, now alluded to, are as undoubtedly and absolutely binding upon the United States, as the most solemn acts of confederation or legislation.

As to the idea which, I am informed, has in some instances prevailed, that the half-pay and commutation are to be regarded merely in the odious light of a pension, it ought to be exploded forever; that provision should be viewed, as it really was, a reasonable compensation offered by Congress, at a time when they had nothing else to give to officers of the army, for services then to be performed. It was the only means to prevent a total dereliction of the service. It was a part of their hire; I may be allowed to say, it was the price of their blood, and of your independence. It is therefore more than a common debt; it is a debt

of honor ; it can never be considered as a pension, or gratuity, nor cancelled until it is fairly discharged.

With regard to the distinction between officers and soldiers, it is sufficient that the uniform experience of every nation of the world combined with our own, proves the utility and propriety of the discrimination. Rewards in proportion to the aid the public draws from them, are unquestionably due to all its servants. In some lines, the soldiers have perhaps, generally, had as ample compensation for their services, by the large bounties which have been paid them, as their officers will receive in the proposed commutation ; in others, if, besides the donation of land, the payment of arrearages of clothing and wages (in which articles all the component parts of the army must be put upon the same footing), we take into the estimate the bounties many of the soldiers have received, and the gratuity of one year's full pay, which is promised to all, possibly their situation (every circumstance being duly considered) will not be deemed less eligible than that of the officers. Should a farther reward, however, be judged equitable, I will venture to assert, no man will enjoy greater satisfaction than myself, in an exemption from taxes for a limited time (which has been petitioned for in some instances), or any other adequate immunity or compensation granted to the brave defenders of their country's cause. But neither the adoption or rejection of this proposition will, in any manner, affect, much less militate against, the act of Congress, by which they have offered five years' full pay, in lieu of the half-pay for life, which had been before promised to the officers of the army.

Before I conclude the subject on public justice, I cannot omit to mention the obligations this country is under to that meritorious class of veterans, the non-commissioned officers and privates, who have been discharged for inability, in consequence of the resolution of Congress, of the 23d of April, 1782, on an annual pension for life. Their peculiar sufferings, their singular merits and claims to that provision, need only to be known, to interest the feelings of humanity in their behalf. Nothing but a punctual payment of their annual allowance, can rescue them from the most complicated misery ; and nothing could be a more melancholy and dis

treassing sight than to behold those who have shed their blood, or lost their limbs in the service of their country, without a shelter, without a friend, and without the means of obtaining any of the comforts or necessities of life, compelled to beg their bread daily from door to door. Suffer me to recommend those of this description, belonging to your state, to the warmest patronage of your excellency and your legislature.

It is necessary to say but a few words on the third topic which was proposed, and which regards particularly the defence of the republic—as there can be little doubt but Congress will recommend a proper peace establishment for the United States, in which a due attention will be paid to the importance of placing the militia of the union upon a regular and respectable footing. If this should be the case, I should beg leave to urge the great advantage of it in the strongest terms.

The militia of this country must be considered as the palladium of our security, and the first effectual resort in case of hostility. It is essential, therefore, that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform; and that the same species of arms, accoutrements, and military apparatus, should be introduced in every part of the United States. No one, who has not learned it from experience, can conceive the difficulty, expense, and confusion, which result from a contrary system, or the vague arrangements which have hitherto prevailed.

If, in treating of political points, a greater latitude than usual has been taken in the course of the address; the importance of the crisis, and the magnitude of the objects in discussion, must be my apology. It is, however, neither my wish nor expectation, that the preceding observations should claim any regard, except so far as they shall appear to be dictated by a good intention, consonant to the immutable rules of justice; calculated to produce a liberal system of policy, and founded on whatever experience may have been acquired, by a long and close attention to public business. Here I might speak with more confidence, from my actual observations; and if it would not swell this letter (already too prolix) beyond the bounds I had prescribed myself, I could

demonstrate to every mind open to conviction, that in less time, and with less expense than has been incurred, the war might have been brought to the same happy conclusion, if the resources of the continent could have been properly called forth ; that the distresses and disappointments which have very often occurred, have, in too many instances, resulted more from a want of energy in the continental government, than a deficiency of means in the particular states ; that the inefficacy of the measures, arising from the want of an adequate authority in the supreme power, from a partial compliance with the requisitions of Congress, in some of the states, and from a failure of punctuality in others, while they tended to damp the zeal of those who were more willing to exert themselves, served also to accumulate the expenses of the war, and to frustrate the best concerted plans ; and that the discouragement occasioned by the complicated difficulties and embarrassments, in which our affairs were by this means involved, would have long ago produced the dissolution of any army, less patient, less virtuous, and less persevering, than that which I have had the honor to command. But while I mention those things which are notorious facts, as the defects of our federal constitution, particularly in the prosecution of a war, I beg it may be understood, that as I have ever taken a pleasure in gratefully acknowledging the assistance and support I have derived from every class of citizens ; so I shall always be happy to do justice to the unparalleled exertions of the individual states, on many interesting occasions.

I have thus freely disclosed what I wished to make known before I surrendered up my public trust to those who committed it to me. The task is now accomplished ; I now bid adieu to your excellency, as the chief magistrate of your state ; at the same time I bid a last farewell to the cares of office, and all the employments of public life.

It remains, then, to be my final and only request, that your excellency will communicate these sentiments to your legislature, at their next meeting ; and that they may be considered as the legacy of one who has ardently wished, on all occasions, to be useful to his country, and who, even in the shade of retirement, will not fail to implore the divine benediction upon it.

I now make it my earnest prayer that God would have you, and the state over which you preside, in his holy protection; that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another; for their fellow-citizens of the United States at large, and particularly for their brethren who have served in the field; and, finally, that he would most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of the mind, which were the characteristics of the divine Author of our blessed religion; without an humble imitation of whose example in these things, we can never hope to be a happy nation.

I have the honor to be,

With much esteem and respect, sir,

Your excellency's most obedient,

And most humble servant,

GEORGE WASHINGTON.

GENERAL WASHINGTON TO CONGRESS ON RESIGNING HIS COMMISSION.

MR. PRESIDENT,—The great events on which my resignation depended, having at length taken place, I have now the honor of offering my sincere congratulations to Congress, and of presenting myself before them to surrender into their hands the trust committed to me, and to claim the indulgence of retiring from the service of my country.

Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence; a diffidence in my abilities to accomplish so arduous a task, which, however, was superseded by a confidence in the rectitude of our cause, the support of the supreme power of the union, and the patronage of heaven.

The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

While I repeat my obligations to the army in general, I should do injustice to my own feelings, not to acknowledge in this place the peculiar services and distinguished merits of the persons who have been attached to my person during the war. It was impossible the choice of confidential officers to compose my family could have been more fortunate. Permit me, sir, to recommend in particular, those who have continued in the service to the present moment, as worthy of the favorable notice and patronage of Congress.

I consider it as an indispensable duty to close this last solemn act of my official life, by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to his holy keeping.

Having now finished the work assigned me, I retire from the great theatre of action; and, bidding an affectionate farewell to this august body, under whose orders I have long acted, I here offer my commission, and take my leave of all the employments of public life.

THE ANSWER OF GENERAL MIFFLIN, PRESIDENT OF CONGRESS.

SIR,—The United States in Congress assembled, receive with emotions too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success, through a perilous and doubtful war.

Called upon by your country to defend its invaded rights, you accepted the sacred charge before it had formed alliances, and whilst it was without friends or a government to support you.

You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through

all disasters and changes. You have by the love and confidence of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity : you have persevered till these United States, aided by a magnanimous king and nation, have been enabled under a just Providence, to close the war in safety, freedom, and independence ; on which happy event we sincerely join you in congratulations.

Having defended the standard of liberty in this new world ; having taught a lesson useful to those who inflict, and to those who feel oppression, you retire from the great theatre of action with the blessings of your fellow-citizens : but the glory of your virtues will not terminate with your military command, it will continue to animate remotest ages. We feel with you our obligations to the army in general, and will particularly charge ourselves with the interest of those confidential officers who have attended your person to this affecting moment.

We join you in commending the interests of our dearest country to the protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens to improve the opportunity afforded them of becoming a happy and respectable nation ; and for you, we address to Him our earnest prayers, that a life so beloved, may be fostered with all his care ; that your days may be happy as they have been illustrious, and that he will finally give you that reward which this world cannot give.

WASHINGTON'S FAREWELL ADDRESS TO THE ARMY.

THE United States in Congress assembled, after giving the most honorable testimony to the merits of the federal armies, and presenting them with the thanks of their country, for their long, eminent, and faithful service, having thought proper, by their proclamation, bearing date the 18th of October last, to discharge such part of the troops as were engaged for the war, and to permit the officers on furlough to retire from service, from and after to-mor-

row ; which proclamation having been communicated in the public papers, for the information and government of all concerned, it only remains for the commander-in-chief to address himself once more, and that for the last time, to the armies of the United States (however widely dispersed individuals who compose them may be), and to bid them an affectionate—a long farewell.

But before the commander-in-chief takes his final leave of those he holds most dear, he wishes to indulge himself a few moments in calling to mind a slight view of the past :—he will then take the liberty of exploring, with his military friends, their future prospects ; of advising the general line of conduct, which, in his opinion, ought to be pursued ; and he will conclude the address, by expressing the obligations he feels himself under for the spirited and able assistance he has experienced from them, in the performance of an arduous office.

A contemplation of the complete attainment (at a period earlier than could have been expected) of the object for which we contended, against so formidable a power, cannot but inspire us with astonishment and gratitude. The disadvantageous circumstances on our part, under which the war was undertaken, can never be forgotten. The signal interpositions of Providence, in our feeble condition, were such as could scarcely escape the attention of the most unobserving ; while the unparalleled perseverance of the armies of the United States, through almost every possible suffering and discouragement, for the space of eight long years, was little short of a standing miracle.

It is not the meaning, nor within the compass of this address, to detail the hardships peculiarly incident to our service, or to describe the distresses which, in several instances, have resulted from the extremes of hunger and nakedness, combined with the rigors of an inclement season : nor is it necessary to dwell on the dark side of our past affairs.

Every American officer and soldier must now console himself for any unpleasant circumstance which may have occurred, by a recollection of the uncommon scenes in which he has been called to act no inglorious part, and the astonishing events of which he has been a witness—events which have seldom, if ever before, taken

place on the stage of human action ; nor can they probably ever happen again. For who has before seen a disciplined army formed at once from such raw materials ? Who that was not a witness, could imagine that the most violent local prejudices would cease so soon, and that men who came from the different parts of the continent, strongly disposed by the habits of education to despise and quarrel with each other, would instantly become but one patriotic band of brothers ? Or who, that was not on the spot, can trace the steps by which such a wonderful revolution has been effected, and such a glorious period put to all our warlike toils ?

It is universally acknowledged, that the enlarged prospects of happiness, opened by the confirmation of our independence and sovereignty, almost exceed the power of description : and shall not the brave men who have contributed so essentially to these inestimable acquisitions, retiring victorious from the field of war to the field of agriculture, participate in all the blessings which have been obtained ? In such a republic, who will exclude them from the rights of citizens, and the fruits of their labors ? In such a country, so happily circumstanced, the pursuits of commerce, and the cultivation of the soil, will unfold to industry the certain road to competence. To those hardy soldiers who are actuated by the spirit of adventure, the fisheries will afford ample and profitable employment ; and the extensive and fertile regions of the west, will yield a most happy asylum to those who, fond of domestic enjoyment, are seeking personal independence. Nor is it possible to conceive that any one of the United States will prefer a national bankruptcy, and the dissolution of the union, to a compliance with the requisition of Congress, and the payment of its just debts ; so that the officers and seldiers may expect considerable assistance, in recommencing their civil occupations, from the sums due to them from the public, which must and will most inevitably be paid.

In order to effect this desirable purpose, and remove the prejudices which may have taken possession of the minds of any of the good people of the states, it is earnestly recommended to all the troops, that, with strong attachment to the union, they should carry with them into civil society the most conciliating dispositions, and that they should prove themselves not less virtuous and useful as

citizens, than they have been victorious as soldiers. What though there should be some envious individuals, who are unwilling to pay the debt the public has contracted, or to yield the tribute due to merit; yet, let such unworthy treatment produce no invective, or any instance of intemperate conduct. Let it be remembered, that the unbiassed voice of the free citizens of the United States, has promised the just reward, and given the merited applause. Let it be known and remembered, that the reputation of the federal armies is established beyond the reach of malevolence; and let a consciousness of their achievements and fame still excite the men who composed them to honorable actions, under the persuasion that the private virtues of economy, prudence, and industry, will not be less amiable in civil life, than the more splendid qualities of valor, perseverance, and enterprise, were in the field. Every one may rest assured, that much, very much of the future happiness of the officers and men, will depend upon the wise and manly conduct which shall be adopted by them, when they are mingled with the great body of the community. And, although the general has so frequently given it as his opinion, in the most public and explicit manner, that unless the principles of the federal government were properly supported, and the powers of the union increased, the honor, dignity, and justice of the nation would be lost forever; yet he cannot help repeating, on this occasion, so interesting a sentiment, and leaving it as his last injunction to every officer and soldier, who may view the subject in the same serious point of light, to add his best endeavors to those of his worthy fellow-citizens, towards effecting these great and valuable purposes, on which our very existence as a nation so materially depends.

The commander-in-chief conceives little is now wanting to enable the soldier to change the military character into that of the citizen, but that steady, decent tenor of the behavior, which has generally distinguished not only the army under his immediate command, but the different detachments and armies, through the course of the war. From their good sense and prudence, he anticipates the happiest consequences; and while he congratulates them on the glorious occasion which renders their services in the field no longer necessary, he wishes to express the strong obliga-

tions he feels himself under, for the assistance he has received from every class, and in every instance. He presents his thanks in the most serious and affectionate manner, to the general officers, as well for their counsels on many interesting occasions, as for their ardor in promoting the success of the plans he had adopted—to the commandants of regiments and corps, and to the other officers, for their zeal and attention in carrying his orders promptly into execution—to the staff, for their alacrity and exactness in performing the duties of their several departments; and to the non-commissioned officers and private soldiers, for their extraordinary patience and suffering, as well as their invincible fortitude in action. To the various branches of the army, the general takes this last and solemn opportunity of professing his inviolable attachment and friendship. He wishes more than bare professions were in his power, that he was really able to be useful to them all in future life. He flatters himself, however, they will do him the justice to believe, that whatever could with propriety be attempted by him, has been done.

And being now to conclude these his last public orders, to take his ultimate leave in a short time of the military character, and to bid a final adieu to the armies he has so long had the honor to command, he can only again offer, in their behalf, his recommendations to their grateful country, and his prayers to the God of armies. May ample justice be done them here, and may the choicest of heaven's favors, both here and hereafter, attend those who, under the divine auspices, have secured innumerable blessings for others. With these wishes, and this benediction, the commander-in-chief is about to retire from service. The curtain of separation will soon be drawn, and the military scene to him will be closed forever.

THE MAYOR OF ALEXANDRIA TO WASHINGTON.

Again your country commands your care. Obedient to its wishes, unmindful of your ease, we see you again relinquishing the bliss of retirement, and this too at a period of life, when nature itself seems to authorize a preference of repose.

Not to extol your glory as a soldier; not to pour forth our gratitude for past services; not to acknowledge the justice of the unexampled honor which has been conferred upon you by the spontaneous and unanimous suffrage of three millions of freemen, in your election to the supreme magistracy, nor to admire the patriotism which directs your conduct, do your neighbors and friends now address you. Themes less splendid, but more endearing, impress our minds. The first and best of citizens must leave us; our aged must lose their ornament; our youth their model; our agriculture its improver; our commerce its friend; our infant academy its protector; our poor their benefactor; and the interior navigation of the Potomac (an event replete with the most extensive utility, already by your unremitted exertions brought into partial use) its institutor and promoter.

Farewell. Go, and make a grateful people happy—a people who will be doubly grateful when they contemplate this recent sacrifice for their interest.

To that Being who maketh and unmaketh at his will, we commend you; and after the accomplishment of the arduous business to which you are called, may he restore to us again the best of men, and the most beloved fellow-citizen.

WASHINGTON'S REPLY.

GENTLEMEN,—Although I ought not to conceal, yet I cannot describe the painful emotions which I felt, in being called upon to determine whether I would accept or refuse the Presidency of the United States. The unanimity in the choice; the opinion of my friends communicated from different parts of Europe as well as from America; the apparent wish of those who were not entirely satisfied with the constitution in its present form, and an ardent desire on my own part to be instrumental in connecting the goodwill of my countrymen towards each other, have induced an acceptance. Those who know me best (and you, my fellow-citizens, are, from your situation, in that number), know better than any

others, my love of retirement is so great, that no earthly consideration, short of a conviction of duty, could have prevailed upon me to depart from my resolution "never more to take any share in transactions of a public nature;" for at my age, and in my circumstances, what prospects or advantages could I propose to myself from embarking again on the tempestuous and uncertain ocean of public life?

I do not feel myself under the necessity of making public declarations in order to convince you, gentlemen, of my attachment to yourselves, and regard for your interests. The whole tenor of my life has been open to your inspection, and my past actions, rather than my present declarations, must be the pledge of my future conduct.

In the meantime, I thank you most sincerely for the expressions of kindness contained in your valedictory address. It is true, just after having bade adieu to my domestic connections, this tender proof of your friendship is but too well calculated still farther to awaken my sensibility, and increase my regret at parting from the enjoyments of private life.

All that now remains for me, is to commit myself and you to the protection of that beneficent Being, who, on a former occasion, hath happily brought us together, after a long and distressing separation. Perhaps the same gracious Providence will again indulge me. Unutterable sensations must then be left to more expressive silence, while from an aching heart I bid all my affectionate friends and kind neighbors farewell.

WASHINGTON'S FIRST MESSAGE TO CONGRESS.

Fellow-Citizens of the Senate and of the House of Representatives :

AMONG the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and

love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision as the asylum of my declining years : a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one, who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is, that if in executing this task I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens ; and thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me ; my error will be palliated by the motives which misled me, and its consequences be judged by my country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit in this first official act, my fervent supplications to that Almighty Being, who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration, to execute with success, the functions allotted to his charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own ; nor those of my fellow-

citizens at large less than either. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency. And in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seems to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which, the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the president "to recommend to your consideration, such measures as he shall judge necessary and expedient." The circumstances under which I now meet you, will acquit me from entering into that subject farther than to refer you to the great constitutional charter under which we are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications, I behold the surest pledges, that as on one side, no local prejudices or attachments, no separate views nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests; so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of a free government be exemplified by all the attributes which

can win the affections of its citizens, and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire; since there is no truth more thoroughly established than that there exists in the economy and course of nature, an indissoluble union between virtue and happiness—between duty and advantage—between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity. Since we ought to be no less persuaded that the propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right which heaven itself has ordained. And since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally staked, on the experiment intrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide how far an exercise of the occasional power delegated by the fifth article of the constitution is rendered expedient at the present juncture by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good: for I assure myself, that whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question, how far the former can be more impregnably fortified, or the latter be safely and more advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the house of representatives. It concerns myself, and will therefore be as brief as possible. When I was first honored with a call into the service of my country, then

on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty, required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline as inapplicable to myself, any share in the personal emoluments, which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuation in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the human race, in humble supplication, that since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government for the security of their union, and the advancement of their happiness; so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend.

WASHINGTON'S FAREWELL ADDRESS.

FRIENDS AND FELLOW CITIZENS,—The period for a new election of a citizen to administer the executive government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured

that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation, which binds a dutiful citizen to his country ; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest ; no deficiency of grateful respect for your past kindness ; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped, that it would have been much earlier in my power, consistently with motives, which I was not at liberty to disregard, to return to that retirement, from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you ; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice, that the state of your concerns, external as well as internal, no longer renders the pursuits of inclination incompatible with the sentiment of duty, or propriety ; and am persuaded that whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say, that I have with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself ; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I

have the consolation to believe, that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious,—vicissitudes of fortune often discouraging,—in situations in which not unfrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing prayers that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare,—which cannot end but with life, and the apprehension of danger, natural to that solicitude, urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which ap-

pear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his council. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so ; for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad ; of your safety ; of your prosperity ; of that very liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth ; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness ; that you should cherish a cordial, habitual, and immovable attachment to it ; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity ; watching for its preservation with jealous anxiety ; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned ; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you, in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived

from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint councils, and joint efforts; of common danger, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious material of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East, supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the union, directed by an indissoluble community of interests as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate

and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations;—and what is of inestimable value, they must derive from union an exemption from those wars and broils between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty: in this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those, who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of

party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations ; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head : they have seen, in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of the policy in the general government, and in the Atlantic states, unfriendly to their interests in regard of the Mississippi : they have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured ? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens ?

To the efficacy and permanency of your union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute ; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of your own choice, uninfluenced and unawed ; adopted upon full investigation and mature deliberation ; completely free in its principles ; in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendments, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The

basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish a government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and actions of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation, the will of a party, often a small, but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of

other human institutions—that experience is the surest standard, by which to test the real tendency of the existing constitution of a country—that facility in changes upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion : and remember, especially, that from the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty, is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of persons and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner, against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed ; but in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual ; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common

and continual mischiefs of the spirit of party, are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself, through the channels of party passions. Thus the policy and the will of one country, are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking, in a free country, should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by expe-

riments ancient and modern; some of them in our country, and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Pronote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparing-

ly as possible, avoiding occasions of expense by cultivating peace; but remembering also, that timely disbursements to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all: religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should

be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur.

Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So, likewise, a passionate attachment of one nation for another, produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justification. It leads also to concessions to the favorite nation, of privileges denied to others, which are apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray, or sacrifice the interests of their own country, without odium, sometimes even with popularity: gilding with the appearances of a virtuous sense of obligation, a commendable deference of public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and

independent patriot. How many opportunities do they afford to tamper with domestic factions, to practise the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships, or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off, when we may defy material injury from external annoyance: when we may take such an attitude as will cause the neutrality, we may at any time resolve upon, to be scrupulously respected; when belligerent nations under the impossibility of making acquisitions upon us, will not

lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why by interweaving our destiny with that of any part of Europe, entangle our prosperity in the toils of European ambition, rivalry, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, in a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing, with powers so disposed in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from na-

tion to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these councils of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations: but if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue; to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude of your welfare, by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles that have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me; uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanitv

impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error; I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views it in the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward as I trust, of our mutual cares, labors, and dangers.

CHIEF JUSTICE MARSHALL ANNOUNCING THE DEATH OF WASHINGTON.

MR. SPEAKER,—The melancholy event which was yesterday announced with doubt, has been rendered but too certain. Our Washington is no more. The hero, the patriot, and the sage of

America; the man on whom in times of danger every eye was turned, and all hopes were placed, lives now only in his own great actions, and in the hearts of an affectionate and afflicted people.

If, sir, it had even not been usual openly to testify respect for the memory of those whom heaven has selected as its instruments for dispensing good to man, yet such has been the uncommon worth, and such the extraordinary incidents which have marked the life of him whose loss we all deplore, that the whole American nation, impelled by the same feelings, would call with one voice for a public manifestation of that sorrow, which is so deep and so universal.

More than any other individual, and as much as to one individual was possible, has he contributed to found this our wide-spreading empire, and to give to the western world, independence and freedom.

Having effected the great object for which he was placed at the head of our armies, we have seen him convert the sword into the ploughshare, and sink the soldier into the citizen.

When the debility of our federal system had become manifest, and the bonds which connected this vast continent were dissolving, we have seen him the chief of those patriots who formed for us a constitution, which, by preserving the union, will, I trust, substantiate and perpetuate those blessings which our revolution had promised to bestow.

In obedience to the general voice of his country, calling him to preside over a great people, we have seen him once more quit the retirement he loved, and in a season more stormy and tempestuous than war itself, with calm and wise determination pursue the true interests of the nation, and contribute more than any other could contribute, to the establishment of that system of policy which will, I trust, yet preserve our peace, our honor, and our independence.

Having been twice unanimously chosen the chief magistrate of a free people, we have seen him, at a time when his re-election with universal suffrage could not be doubted, afford to the world a rare instance of moderation, by withdrawing from his station to the peaceful walks of private life.

However the public confidence may change, and the public affections fluctuate with respect to others, with respect to him they have, in war and in peace, in public and in private life, been as steady as his own firm mind, and as constant as his own exalted virtues.

Let us then, Mr. Speaker, pay the last tribute of respect and affection to our departed friend. Let the grand council of the nation display those sentiments which the nation feels. For this purpose I held in my hand some resolutions which I take the liberty of offering to the house.

Resolved, That this house will wait on the president, in condolence of this mournful event.

Resolved, That the speaker's chair be shrouded with black, and that the members and officers of the house wear black during the session.

Resolved, That a committee, in conjunction with one from the senate, be appointed to consider on the most suitable manner of paying honor to the memory of the man, first in war, first in peace, and first in the hearts of his fellow-citizens.

MAJOR GENERAL LEE'S FUNERAL ORATION ON THE DEATH OF WASHINGTON.

In obedience to your will, I rise your humble organ, with the hope of executing a part of the system of public mourning, which you have been pleased to adopt commemorative of the death of the most illustrious and most beloved personage this country has ever produced ; and which, while it transmits to posterity your sense of the awful event, faintly represents your knowledge of the consummate excellence you so cordially honor.

Desperate indeed is any attempt on earth to meet correspondently this dispensation of heaven ; for, while with pious resignation we submit to the will of an all-gracious Providence, we can never cease lamenting in our finite view of omnipotent wisdom, the heart-rending privation for which our nation weeps. When

the civilized world shakes to the centre; when every moment gives birth to strange and momentous changes; when our peaceful quarter of the globe, exempt as it happily has been from any share in the slaughter of the human race, may yet be compelled to abandon her pacific policy, and to risk the doleful casualties of war: what limit is there to the extent of our loss?—None within the reach of my words to express; none which our feelings will not disavow.

The founder of our federal republic—our bulwark in war, our guide in peace, is no more! Oh that this were but questionable! Hope, the comforter of the wretched, would pour into our agonizing hearts its balmy dew. But, alas! there is no hope for us! Our Washington is removed forever! Possessing the stoutest frame, and purest mind, he had passed nearly to the age of sixty-eight years, in the enjoyment of high health, when, habituated by his care of us to neglect himself, a slight cold, disregarded, became inconvenient on Friday, oppressive on Saturday, and, defying every medical interposition, before the morning of Sunday, put an end to the best of men! An end, did I say?—his fame survives! bounded only by the limits of the earth, and by the extent of the human mind. He survives in our hearts, in the growing knowledge of our children, in the affection of the good throughout the world; and when our monuments shall be done away; when nations now existing shall be no more; when even our young and far-spreading empire shall have perished, still will our Washington's glory unfaded shine, and die not, until love of virtue cease on earth, or earth itself sink into chaos.

How, my fellow-citizens, shall I single out to your grateful hearts his pre-eminent worth? where shall I begin in opening to your view a character throughout sublime? shall I speak of his warlike achievements, all springing from obedience to his country's will—all directed to his country's good?

Moving in his own orbit, he imparted heat and light to his most distant satellites; and combining the physical and moral force of all within his sphere, with irresistible weight he took his course, commiserating folly, disdaining vice, dismaying treason, and invigorating despondency; until the auspicious hour arrives, when

he brought to submission the since conqueror of India ; thus finishing his long career of military glory, with a lustre corresponding to his great name, and in this his last act of war, affixing the seal of fate to our nation's birth.

To the horrid din of battle, sweet peace succeeded ; and our virtuous chief, mindful only of the common good in a moment tempting personal aggrandizement, hushed the discontents of growing sedition ; and, surrendering his power into the hand from which he had received it, converted his sword into a ploughshare, teaching an admiring world, that to be truly great you must be truly good.

Was I to stop here, the picture would be incomplete, and the task imposed, unfinished.—Great as was our Washington in war, and as much as did that greatness contribute to produce the American Republic, it is not in war alone his pre-eminence stands conspicuous. His various talents, combining all the capacities of a statesman with those of a soldier, fitted him alike to guide the councils, and the armies of our nation. Scarcely had he rested from his martial toils, while his invaluable parental advice was still sounding in our ears, when he who had been our sword and our shield, was called forth to act a less splendid, but more important part.

Possessing a clear and penetrating mind, a sound and strong judgment, calmness and temper for deliberation, with invincible firmness and perseverance in resolutions, maturely formed, drawing information from all, acting from himself, with incorruptible integrity and unvarying patriotism ; his own superiority, and the public confidence alike marked him as the man designed by heaven to lead in the political as well as the military events which have distinguished the era of his life.

The finger of an overruling Providence, pointing at Washington, was neither mistaken nor unobserved ; when, to realize the vast hopes to which our revolution had given birth, a change of political system became indispensable. How novel, how grand the spectacle ! Independent States stretched over an immense territory, and known only by common difficulty, clinging to their union as the rock of their safety, deciding by frank comparison of

their relative condition, to rear on that rock, under the guidance of reason, a common government, through whose commanding protection, liberty and order, with their long train of blessings, should be safe to themselves, and the sure inheritance of their posterity.

This arduous task devolved on citizens selected by the people, from knowledge of their wisdom, and confidence in their virtue. In this august assembly of sages and patriots, Washington, of course, was found ; and, as if acknowledged to be the most wise, where all were wise, with one voice he was declared their chief. How well he merited this rare distinction, how faithful were the labors of himself and his compatriots, the work of their hands, and our union, strength, and prosperity, the fruits of that work, best attests.

But, to have essentially aided in presenting to his country this consummation of her hopes, neither satisfied the claims of his fellow-citizens on his talents, nor those duties which the possession of those talents imposed. Heaven had not infused into his mind such an uncommon share of its ethereal spirit to remain unemployed, nor bestowed on him his genius, unaccompanied with the corresponding duty of devoting it to the common good. To have framed a constitution, was showing only, without realizing, the general happiness. This great work remained to be done ; and America, steadfast in her preference, with one voice summoned her beloved Washington, unpractised as he was in the duties of civil administration, to execute this last act in the completion of the national felicity. Obedient to her call, he assumed that high office with that self-distrust peculiar to his innate modesty, the constant attendant of pre-eminent virtue.

What was the burst of joy through our anxious land on this exhilarating event, is known to us all. The aged, the young, the brave, the fair, rivalled each other in demonstrations of gratitude ; and this high wrought, delightful scene was heightened in its effect, by the singular contest between the zeal of the bestowers and the avoidance of the receiver of the honors bestowed. Commencing his administration, what heart is not charmed with the recollection of the pure and wise principles announced by himself,

as the basis of his political life. He best understood the indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and individual felicity; watching with equal and comprehensive eye over this great assemblage of communities and interests, he laid the foundation of our national policy in the unerring, immutable principles of morality, based on religion, exemplifying the pre-eminence of a free government, by all the attributes which win the affections of its citizens, or command the respect of the world.

INAUGURAL MESSAGE OF JOHN ADAMS, MARCH 4, 1797.

FELLOW-CITIZENS,—When it was first perceived, in early times, that no middle course for America remained, between unlimited submission to a foreign legislature, and a total independence of its claims, men of reflection were less apprehensive of danger from the formidable power of fleets and armies they must determine to resist, than from those contests and dissensions which would certainly arise concerning the forms of government to be instituted over the whole and over the parts of this extensive country. Relying, however, on the purity of their intentions, the justice of their cause, and the integrity and intelligence of the people, under an overruling Providence, which had so signally protected this country from the first, the representatives of this nation, then consisting of little more than half its present numbers, not only broke to pieces the chains which were forging, and the rod of iron that was lifted up, but frankly cut asunder the ties which had bound them, and launched into an ocean of uncertainty.

The zeal and ardor of the people, during the revolutionary war supplying the place of government, commanded a degree of order, sufficient at least for the temporary preservation of society. The confederation, which was early felt to be necessary, was prepared from the models of the Batavian and Helvetic confederacies, the only examples which remain with any detail and precision, in his-

tory, and certainly the only ones which the people at large had ever considered. But reflecting on the striking difference, in so many particulars, between this country and those, where a courier may go from the seat of government to the frontier in a single day, it was then certainly foreseen by some who assisted in Congress at the formation of it, that it could not be durable.

Negligence of its regulations, inattention to its recommendations, if not disobedience to its authority, not only in individuals but in states, soon appeared, with their melancholy consequences; universal languor, jealousies, and rivalries of states; decline of navigation and commerce; discouragement of necessary manufactures; universal fall in the value of lands and their produce; contempt of public and private faith; loss of consideration and credit with foreign nations; and at length, in discontents, animosities, combinations, partial conventions, and insurrection, threatening some great national calamity.

In this dangerous crisis the people of America were not abandoned by their usual good sense, presence of mind, resolution, or integrity. Measures were pursued to concert a plan, to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty. The public disquisitions, discussions, and deliberations issued in the present happy constitution of government.

Employed in the service of my country abroad, during the whole course of these transactions, I first saw the constitution of the United States in a foreign country. Irritated by no literary altercation, animated by no public debate, heated by no party animosity, I read it with great satisfaction, as a result of good heads, prompted by good hearts; as an experiment, better adapted to the genius, character, situation, and relations of this nation and country, than any which had ever been proposed or suggested. In its general principles and great outlines, it was conformable to such a system of government as I had ever most esteemed, and in some states, my own native state in particular, had contributed to establish. Claiming a right of suffrage, in common with my fellow-citizens, in the adoption or rejection of a constitution which was to

rule me and my posterity, as well as them and theirs, I did not hesitate to express my approbation of it, on all occasions, in public and in private. It was not then, nor has been since, any objection to it, in my mind, that the executive and senate were not more permanent. Nor have I ever entertained a thought of promoting any alteration in it, but such as the people themselves, in the course of their experience, should see and feel to be necessary or expedient, and by their representatives in Congress and the state legislatures, according to the constitution itself, adopt and ordain.

Returning to the bosom of my country, after a painful separation from it for ten years, I had the honor to be elected to a station under the new order of things, and I have repeatedly laid myself under the most serious obligations to support the constitution. The operation of it has equalled the most sanguine expectations of its friends; and from an habitual attention to it, satisfaction in its administration, and delight in its effects, upon the peace, order, prosperity, and happiness of the nation, I have acquired an habitual attachment to it, and veneration for it.

What other form of government indeed can so well deserve our esteem and love?

There may be little solidity in an ancient idea, that congregations of men into cities and nations, are the most pleasing objects in the sight of superior intelligences; but this is very certain, that to a benevolent human mind, there can be no spectacle presented by any nation, more pleasing, more noble, majestic, or august, than an assembly like that which has so often been seen in this and the other chamber of Congress, of a government in which the executive authority, as well as that of all the branches of the legislature, are exercised by citizens selected, at regular periods, by their neighbors, to make and execute laws for the general good. Can anything essential, anything more than mere ornament and decoration be added to this by robes or diamonds? Can authority be more amiable or respectable, when it descends from accidents, or institutions established in remote antiquity, than when it springs fresh from the hearts and judgments of an honest and enlightened people? For it is the people only that are represented: it is their power and majesty that is reflected, and only for their good, in

every legitimate government, under whatever form it may appear.

The existence of such a government as ours, for any length of time, is a full proof a general dissemination of knowledge and virtue, throughout the whole body of the people. And what object or consideration more pleasing than this can be presented to the human mind? If national pride is ever justifiable or excusable, it is when it springs, not from power or riches, grandeur or glory, but from conviction of national innocence, information, and benevolence.

In the midst of these pleasing ideas, we should be unfaithful to ourselves, if we should ever lose sight of the danger to our liberties, if anything partial or extraneous should infect the purity of our free, fair, virtuous, and independent elections. If an election is to be determined by a majority of a single vote, and that can be procured by a party, through artifice or corruption, the government may be the choice of a party, for its own ends, not of the nation, for the national good. If that solitary suffrage can be obtained by foreign nations by flattery or menaces, by fraud or violence, by terror, intrigue, or venality, the government may not be the choice of the American people, but foreign nations. It may be foreign nations who govern us, and not we the people, who govern ourselves. And candid men will acknowledge, that in such cases choice would have little advantage to boast of, over lot or chance.

Such is the amiable and interesting system of government, and such are some of the abuses to which it may be exposed, which the people of America have exhibited to the admiration and anxiety of the wise and virtuous of all nations, for eight years, under the administration of a citizen, who, by a long course of great actions, regulated by prudence, justice, temperance, and fortitude, conducting a people, inspired with the same virtues, and animated with the same ardent patriotism and love of liberty, to independence and peace, to increasing wealth and unexampled prosperity, has merited the gratitude of his fellow-citizens, commanded the highest praises of foreign nations, and secured immortal glory with posterity.

In that retirement which is his voluntary choice, may he long

live to enjoy the delicious recollection of his services, the gratitude of mankind ; the happy fruits of them to himself and the world, which are daily increasing, and that splendid prospect of the future fortunes of his country, which is opening from year to year. His name may be still a rampart, and the knowledge that he lives a bulwark against all open or secret enemies of his country's peace.

This example has been recommended to the imitation of his successors, by both houses of Congress, and by the voice of the legislatures and the people, throughout the nation.

On this subject it might become me better to be silent or to speak with diffidence ; but as something may be expected, the occasion, I hope, will be admitted as an apology, if I venture to say, that—

If a preference, upon principle, of a free republican government, formed upon long and serious reflection, after a diligent and impartial inquiry after truth ; if an attachment to the constitution of the United States, and a conscientious determination to support it, until it shall be altered by the judgments and wishes of the people, expressed in the mode prescribed in it ; if a respectful attention to the constitutions of the individual states, and a constant caution and delicacy towards the state governments ; if an equal and impartial regard to the rights, interests, honor, and happiness of all the states in the union, without preference or regard to a Northern or Southern, an Eastern or Western position, their various political opinions on unessential points, or their personal attachments ; if a love of virtuous men of all parties and denominations ; if a love of science and letters, and a wish to patronize every rational effort to encourage schools, colleges, universities, academies, and every institution for propagating knowledge, virtue, and religion among all classes of the people—not only for their benign influence on the happiness of life, in all its stages and classes, and of society in all its forms, but as the only means of preserving our constitution from its natural enemies, the spirit of sophistry, the spirit of party, the spirit of intrigue, the profligacy of corruption, and the pestilence of foreign influence, which is the angel of destruction to elective governments ; if a love of equal laws, of justice and humanity, in the interior administration ; if an inclina-

tion to improve agriculture, commerce, and manufactures for necessity, convenience and defence ; if a spirit of equity and humanity towards the aboriginal nations of America, and a disposition to meliorate their condition, by inclining them to be more friendly to us, and our citizens to be more friendly to them ; if an inflexible determination to maintain peace and inviolable faith, with all nations, and that system of neutrality and impartiality among the belligerent powers of Europe, which has been adopted by this government, and so solemnly sanctioned by both houses of Congress, and applauded by the legislatures of the states and the public opinion, until it shall be otherwise ordained by Congress ; if a personal esteem for the French nation, formed in a residence of seven years, chiefly among them, and a sincere desire to preserve the friendship which has been so much for the honor and interest of both nations ; if while the conscious honor and integrity of the people of America and the internal sentiment of their own power and energies must be preserved an earnest endeavor to investigate every just cause, and remove every colorable pretence of complaint ; if an intention to pursue, by amicable negotiation, a reparation for the injuries that have been committed on the commerce of our fellow-citizens by whatever nation ; and if success cannot be obtained, to lay the facts before the legislature, that they may consider, what further measures the honor and interest of the government and its constituents demand ; if a resolution to do justice, as far as may depend upon me, at all times and to all nations, and maintain peace, friendship, and benevolence with all the world ; if an unshaken confidence in the honor, spirit, and resources of the American people, on which I have so often hazarded my all, and never been deceived ; if elevated ideas of the high destinies of this country, and of my own duties towards it, founded on a knowledge of the moral principles and intellectual improvements of the people, deeply engraven on my mind in early life, and not obscured but exalted by experience and age ;—and with humble reverence I feel it to be my duty to add, if a veneration for the religion of a people, who profess and call themselves Christians, and a fixed resolution to consider a decent respect for Christianity, among the best recommendations for the public service, can enable

me, in any degree, to comply with your wishes, it shall be my strenuous endeavor that this sagacious injunction of the two houses shall not be without effect.

With this great example before me; with the sense and spirit, the faith and honor, the duty and interest of the same American people, pledged to support the constitution of the United States, I entertain no doubt of its continuance in all its energy, and my mind is prepared, without hesitation, to lay myself under the most solemn obligations to support it, to the utmost of my power.

And may that Being, who is supreme over all, the patron of order, the fountain of justice, and the protector, in all ages of the world, of virtuous liberty, continue his blessing upon this nation and its government; and give it all possible success and duration, consistent with the ends of his Providence.

INAUGURAL MESSAGE OF THOMAS JEFFERSON,
MARCH 4, 1801.

FRIENDS AND FELLOW-CITIZENS,—Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens, which is here assembled, to express my grateful thanks, for the favor with which they have been pleased to look towards me; to declare a sincere consciousness, that the task is above my talents, and that I approach it with those anxious and awful presentiments, which the greatness of the charge and the weakness of my powers so justly inspire.

A rising nation spread over a wide and fruitful land—traversing all the seas with the rich productions of their industry—engaged in commerce with nations who feel power and forget right—advancing rapidly to destinies beyond the reach of mortal eye:—when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country, committed to the issue and the auspices of this day, I shrink from the con-

temptation, and humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair, did not the presence of many whom I here see, remind me that in the other high authorities provided by our constitution, I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked, amidst the conflicting elements of a troubled world.

During the contest of opinion through which we have past, the animation of discussion, and of exertions, has sometimes worn an aspect which might impose on strangers, unused to think freely, and to write what they think : but this being now decided by the voice of the union, announced according to the rules of the constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle—that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable—that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression. Let us then, fellow-citizens, unite with one heart and one mind. Let us restore to social intercourse, that harmony and affection without which, liberty, and even life itself, are but dreary things. And let us reflect, that having banished from our land, that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotic, as wicked, and capable of as bitter and bloody persecutions.

During the throes and convulsions of the ancient world,—during the agonizing spasms of infuriated man, seeking, through blood and slaughter, his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore—that this should be more felt and feared by some, and less by others—and should divide opinions as to measures of safety. But every difference of opinion, is not a difference of principle. We have called by different names, brethren of the

same principle. We are all republicans : we are all federalists. If there be any among us who would wish to dissolve this union, or to change its republican form, let them stand undisturbed, as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know, indeed, that some honest men fear a republican government cannot be strong—that this government is not strong enough. But would the honest patriot in the full tide of successful experiment, abandon a government which has so far kept us free and firm, on the theoretic and visionary fear, that this government, the world's best hope, may by possibility want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order, as his own personal concern. Sometimes it is said that one man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or have we found angels in the form of kings, to govern him? Let history answer this question.

Let us then with courage and confidence pursue our own federal and republican principles—our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe—too high-minded to endure the degradations of the others—possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation—entertaining a due sense of our equal right to the use of our own faculties—to the acquisitions of our own industry—to honor and confidence from our fellow-citizens; resulting not from birth, but from our actions, and their sense of them, enlightened by a benign religion, professed, indeed, and practised in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man—acknowledging and adoring an overruling Providence, which by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter—with all these blessings, what more is necessary to make us a prosperous and happy people? Still one thing more, fellow-citizens, a wise

and frugal government, which shall restrain men from injuring one another; shall leave them otherwise free to regulate their own pursuits of industry and improvement; and shall not take from the mouth of labor what it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political—peace, commerce, and honest friendship with all nations—entangling alliances with none—the support of the state governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies—the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad—a zealous care of the right of election by the people—a mild and safe corrective of abuses, which are lopped by the sword of revolution where peaceable remedies are unprovided—absolute acquiescence in the decisions of the majority, the vital principle of republics, from which there is no appeal, but to force, the vital principle and immediate parent of despotism—a well-disciplined militia, our best reliance in peace and for the first moments of war, till regulars may relieve them—the supremacy of the civil over the military authority—economy in the public expense, that labor may be lightly burthened—the honest payment of our debts, and sacred preservation of public faith—encouragement of agriculture, and of commerce as its handmaid—the diffusion of information, and arraignment of all abuses at the bar of public reason—freedom of religion—freedom of the press—freedom of person under the protection of the *habeas corpus*; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages,

and blood of our heroes, have been devoted to their attainment. They should be the creed of our political faith—the text of civic instruction—the touchstone by which to try the services of those we trust: and should we wander from them in the moments of error or alarm, let us hasten to retrace our steps, and to regain the road which alone leads to peace, liberty, and safety.

I repair then, fellow-citizens, to the post you have assigned me, with experience enough in subordinate offices, to have seen the difficulties of this, the greatest of all; I have learned to expect that it will rarely fall to the lot of imperfect man, to retire from this station with the reputation and the favor which bring him into it. Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose pre-eminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only, as may give firmness and effect to the legal administration of your affairs. I shall often go wrong, through defect of judgment. When right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional: and your support against the errors of others, who may condemn what they would not, if seen in all its parts. The approbation implied by your suffrage, is a great consolation to me for the past: and my future solicitude will be, to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying then on the patronage of your good-will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choices it is in your power to make. And may that Infinite Power which rules the destinies of the universe, lead our councils to what is best, and give them a favorable issue for your peace and prosperity.

INAUGURAL MESSAGE OF JAMES MADISON, MARCH 4, 1791

FELLOW-CITIZENS,—Unwilling to depart from examples of the most revered authority, I avail myself of the occasion now presented, to express the profound impression made on me, by the call of my country to the station, to the duties of which I am about to pledge myself, by the most solemn of sanctions. So distinguished a mark of confidence proceeding from the deliberate and tranquil suffrage of a free and virtuous nation, would, under any circumstances, command my gratitude and devotion—as well as fill me with an awful sense of the trust to be assumed. Under the various circumstances which give peculiar solemnity to the existing period, I feel that both the honor and the responsibility allotted to me, are inexpressibly enhanced.

The present situation of the world is indeed without a parallel, and that of our own country full of difficulties. The pressure of these too, is the more severely felt, because they have fallen upon us at a moment, when national prosperity being at a height not before attained, the contrast resulting from the change has been rendered the more striking. Under the benign influence of our republican institutions, and the maintenance of peace with all nations, whilst so many of them were engaged in bloody and wasteful wars, the fruits of a just policy were enjoyed in an unrivalled growth of our faculties and resources. Proofs of this were seen in the improvements of agriculture; in the successful enterprises of commerce; in the progress of manufactures and useful arts; in the increase of the public revenue, and the use made of it in reducing the public debt, and in the valuable works and establishments everywhere multiplying over the face of our land.

It is a precious reflection that the transition from this prosperous condition of our country to the scene which has for some time been distressing us, is not chargeable on any unwarrantable views, nor, as I trust, on any involuntary errors in the public councils. Indulging no passions which trespass on the rights or the repose of other nations, it has been the true glory of the United States to cultivate peace by observing justice, and to entitle them-

selves to the respect of the nations at war, by fulfilling their neutral obligations, with the most scrupulous impartiality. If there be candor in the world, the truth of these assertions will not be questioned. Posterity at least will do justice to them.

This unexceptionable course could not avail against the injustice and violence of the belligerent powers. In their rage against each other, or impelled by more direct motives, principles of retaliation have been introduced, equally contrary to universal reason and acknowledged law. How long their arbitrary edicts will be continued, in spite of the demonstrations, that not even a pretext for them has been given by the United States, and of the fair and liberal attempts to induce a revocation of them, cannot be anticipated. Assuring myself that, under every vicissitude, the determined spirit and united councils of the nation will be safeguards to its honor and its essential interests, I repair to the post assigned me, with no other discouragement than what springs from my own inadequacy to its high duties. If I do not sink under the weight of this deep conviction, it is because I find some support in a consciousness of the purposes, and a confidence in the principles, which I bring with me into this arduous service.

To cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality towards belligerent nations; to prefer, in all cases, amicable discussions, and reasonable accommodations of differences, to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries, and so baneful to free ones; to foster a spirit of independence, too just to invade the rights of others; too proud to surrender our own; too liberal to indulge unworthy prejudices ourselves; and too elevated not to look down upon them in others; to hold the union of the states as the basis of their peace and happiness; to support the constitution, which is the cement of the union, as well in its limitations, as in its authorities; to respect the rights and authorities reserved to the states and to the people, as equally incorporated with and essential to the success of the general system; and to avoid the slightest interference with the rights of conscience, or the functions of religion, so wisely exempted from civil jurisdiction; to preserve

to their full energy the other salutary provisions in behalf of private and personal rights, and of the freedom of the press; to observe economy in public expenditures; to liberate the public resources by an honorable discharge of the public debts; to keep within the requisite limits of a standing military force, always remembering that an armed and trained militia is the firmest bulwark of republican governments—that without standing armies their liberty can never be in danger, nor with large ones safe; to promote, by authorized means, improvements friendly to agriculture, and to external as well as internal commerce; to favor, in like manner, the advancement of science and the diffusion of information, as the best aliment to true liberty; to carry on the benevolent plan which has been so meritoriously applied to the conversion of our aboriginal neighbors, from the degradation and wretchedness of savage life to a participation in the improvements of which the human mind and manners are susceptible in a civilized state. As far as sentiments and intentions such as these can aid the fulfilment of my duty, they will be a resource which cannot fail me.

It is my good fortune, moreover, to have the path in which I am to tread lighted by examples of illustrious services, successfully rendered in the most trying difficulties by those who have marched before me. Of those of my immediate predecessor, it might least become me here to speak—I may, however, be pardoned for not suppressing the sympathy with which my heart is full, in the rich reward he enjoys in the benediction of a beloved country, gratefully bestowed for exalted talents, zealously devoted through a long career, to the advancement of its highest interest and happiness. But the source to which I look for the aids, which alone can supply my deficiencies, is in the well-tryed intelligence and virtue of my fellow-citizens, and in the care of the national interest. In these my confidence will, under every difficulty, be best placed, next to that which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being, whose power regulates the destiny of nations—whose blessings have been so conspicuously dispensed to this rising republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future.

WEBSTER ON THE LIVES OF JOHN ADAMS AND THOMAS JEFFERSON.

In July, 1776, our controversy with Great Britain had passed the stage of argument. An appeal had been made to force, and opposing armies were in the field. Congress, then, was to decide whether the tie, which had so long bound us to the parent state, was to be severed at once, and severed forever. All the colonies had signified their resolution to abide by this decision, and the people looked for it with the most intense anxiety. And surely, fellow-citizens, never, never were men called to a more important political deliberation. If we contemplate it from the point where they then stood, no question could be more full of interest; if we look at it now, and judge of its importance by its effects, it appears in still greater magnitude. Let us, then, bring before us the assembly, which was about to decide a question thus big with the fate of empire. Let us open their doors and look in upon their deliberations. Let us survey the anxious and careworn countenances, let us hear the firm-toned voices of this band of patriots. Hancock presides over the solemn sitting; and one of those not yet prepared to pronounce for absolute independence, is on the floor, and is urging his reasons for dissenting from the declaration.

"Let us pause! This step, once taken, cannot be retracted. This resolution, once passed, will cut off all hope of reconciliation. If success attend the arms of England, we shall then be no longer colonies, with charters, and with privileges; these will all be forfeited by this act; and we shall be in the condition of other conquered people—at the mercy of the conquerors. For ourselves, we may be ready to run the hazard; but are we ready to carry the country to that length? Is success so probable as to justify it? Where is the military, where the naval power, by which we are to resist the whole strength of the arm of England?—for she will exert that strength to the utmost. Can we rely on the constancy and perseverance of the people? or will they not act, as the people of other countries have acted, and, wearied with a long war, submit, in the end, to a worse oppression?

"While we stand on our old ground, and insist on redress of

grievances, we know we are right, and are not answerable for consequences. Nothing, then, can be imputable to us. But, if we now change our object, carry our pretensions farther, and set up for absolute independence, we shall lose the sympathy of mankind. We shall no longer be defending what we possess, but struggling for something which we never did possess, and which we have solemnly and uniformly disclaimed all intention of pursuing, from the very outset of the troubles. Abandoning thus our old ground, of resistance only to arbitrary acts of oppression, the nations will believe the whole to have been mere pretence, and they will look on us, not as injured, but as ambitious subjects. I shudder before this responsibility. It will be on us, if, relinquishing the ground we have stood on so long, and stood on so safely, we now proclaim independence, and carry on the war for that object, while these cities burn, these pleasant fields whiten and bleach with the bones of their owners, and these streams run blood. It will be upon us, it will be upon us, if, failing to maintain this unseasonable and ill-judged declaration, a sterner despotism, maintained by military power, shall be established over our posterity, when we ourselves, given up by an exhausted, a harassed, a misled people, shall have expiated our rashness, and atoned for our presumption on the scaffold."

It was for Mr. Adams to reply to arguments like these. "It is true, indeed, that, in the beginning, we aimed not at independence. But there's a Divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest, for our good she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours. Why, then, should we defer the declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life, and his own honor? Are not you, sir, who sit in that chair; is not he, our venerable colleague near you; are you not both already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what can you be, while the power of England remains, but outlaws? If we postpone independence, do we mean

to carry on, or to give up the war? Do we mean to submit to the measures of parliament, Boston port-bill and all? Do we mean to submit, and consent that we ourselves shall be ground to powder, and our country and its rights trodden down in the dust?

"I know we do not mean to submit. We never shall submit. Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes, and our lives? I know that there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that plighted faith fall to the ground. For myself, having twelve months ago, in this place, moved you, that George Washington be appointed commander of the forces, raised, or to be raised, for defence of American liberty, may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him.

"The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the declaration of independence? That measure will strengthen us. It will give us character abroad. The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England, herself, will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct toward us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why then, sir do we not, as soon as possible, change this from a civil to a national war? And, since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

"If we fail, it can be no worse for us. But we shall not fail.

The cause will raise up armies ; the cause will create navies. The people, if we are true to them, will carry us, and will carry themselves, gloriously through this struggle. I care not how fickle other people have been found. I know the people of these colonies ; and I know that resistance to British aggression is deep and settled in their hearts, and cannot be eradicated. Every colony, indeed, has expressed its willingness to follow, if we but take the lead. Sir, the declaration will inspire the people with increased courage. Instead of a long and bloody war for restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life. Read this declaration at the head of the army ; every sword will be drawn from its scabbard, and the solemn vow uttered, to maintain it, or to perish on the bed of honor. Publish it from the pulpit ; religion will approve of it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the public halls ; proclaim it there ; let them hear it, who heard the first roar of the enemy's cannon ; let them see it, who saw their brothers and their sons fall on the field of Bunker Hill, and in the streets of Lexington and Concord—and the very walls will cry out in its support.

“ Sir, I know the uncertainty of human affairs ; but I see clearly, through this day's business. You and I, indeed, may rue it. We may not live to the time when this declaration shall be made good. We may die ; die, colonists ; die, slaves ; die, it may be, ignominiously, and on the scaffold. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready at the appointed hour of sacrifice, come when that hour may. But, whatever may be our fate, be assured, that this declaration will stand. It may cost treasure, and it may cost blood ; but it will stand, and it will richly compensate for both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires, and illuminations. On its annual return,

they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy. Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have in this life, I am now ready here to stake upon it;—sink or swim, survive or perish, I am for the declaration!"

WIRT'S EULOGY ON JOHN ADAMS AND THOMAS JEFFERSON

THE scenes which have been lately passing in our country, and of which this meeting is a continuance, are full of moral instruction. They hold up to the world a lesson of wisdom by which all may profit, if Heaven shall grant them the discretion to turn it to its use. The spectacle, in all its parts, has indeed been most solemn and impressive; and though the first impulse be now past, the time has not yet come, and never will come, when we can contemplate it without renewed emotion.

In the structure of their characters, in the course of their action, in the striking coincidences which marked their high career, in the lives and in the deaths of the illustrious men, whose virtues and services we have met to commemorate—and in that voice of admiration and gratitude which has since burst, with one accord, from the twelve millions of freemen who people these United States, there is a moral sublimity which overwhelms the mind, and hushes all its powers into silent amazement.

The European, who should have heard the sound without apprehending the cause, would be apt to inquire, What is the meaning of all this? what had these men done to elicit this unanimous and splendid acclamation? Why has the whole American nation risen up, as one man, to do them honor, and offer to them this enthusiastic homage of the heart? Were they mighty warriors, and was the peal that we have heard the shout of victory? Were they great commanders, returning from their distant conquests, surrounded with the spoils of war, and was this the sound of their triumphal procession? Were they covered with martial glory in

any form, and was this "the noisy wave of the multitudes, rolling back at their approach?" Nothing of all this. No; they were peaceful and aged patriots, who, having served their country together through their long and useful lives, had now sunk together to the tomb. They had not fought battles; but they had formed and moved the great machinery, of which battles were only a small and comparatively trivial consequence. They had not commanded armies; but they had commanded the master-springs of the nation, on which all its great political, as well as military movements depended. By the wisdom and energy of their counsels, and by the potent mastery of their spirits, they had contributed pre-eminently to produce a mighty revolution, which has changed the aspect of the world. A revolution which, in one half of that world, has already restored man to his "long-lost liberty;" and government to its only legitimate object, the happiness of the people; and, on the other hemisphere, has thrown a light so strong, that even the darkness of despotism is beginning to recede. Compared with the solid glory of an achievement like this, what are battles, and what the pomp of war, but the poor and fleeting pageants of a theatre? What were the selfish and petty strides of Alexander, to conquer a little section of the savage world, compared with this generous, this magnificent advance towards the emancipation of the entire world!

And this, be it remembered, has been the fruit of intellectual exertion—the triumph of mind! What a proud testimony does it bear to the character of our nation, that they are able to make a proper estimate of services like these! That while in other countries the senseless mob fall down in stupid admiration, before the bloody wheels of the conqueror—even of the conqueror by accident—in this, our people rise, with one accord, to pay their homage to intellect and virtue!

What a cheering pledge does it give of the stability of our institutions, that while abroad the yet benighted multitude are prostrating themselves before the idols which their own hands have fashioned into kings, here, in this land of the free, our people are everywhere starting up, with one impulse, to follow with their acclamations the ascending spirits of the great fathers of the Re-

public. This is a spectacle of which we may be permitted to be proud. It honors our country no less than the illustrious dead. And could those great patriots speak to us from the tomb, they would tell us that they have more pleasure in the testimony which these honors bear to the character of their country, than in that which they bear to their individual services. They now see as they were seen while in the body, and know the nature of the feeling from which these honors flow. It is love for love. It is the gratitude of an enlightened nation to the noblest order of benefactors. It is the only glory worth the aspirations of a generous spirit. Who would not prefer this living tomb in the hearts of his countrymen, to the proudest mausoleum that the Genius of Sculpture could erect!

Man has been said to be the creature of accidental position. The cast of his character has been thought to depend, materially, on the age, the country, and the circumstances in which he has lived. To a considerable extent, the remark is no doubt true. Cromwell, had he been born in a republic, might have been "guiltless of his country's blood;" and, but for those civil commotions which had wrought his great mind into tempest, even Milton might have rested "mute and inglorious." The occasion is, doubtless, necessary to develop the talent, whatsoever it may be; but the talent must exist in embryo at least, or no occasion can quicken it into life. And it must exist too under the check of strong virtues; or the same occasion that quickens it into life, will be extremely apt to urge it on to crime. The hero who finished his career at St. Helena, extraordinary as he was, is a far more common character in the history of the world, than he who sleeps in our neighborhood, embalmed in his country's tears—or than those whom we have now met to mourn and to honor.

Jefferson and Adams were great men by nature. Not great and eccentric minds, "shot madly from their spheres," to affright the world, and scatter pestilence in their course; but minds whose strong and steady light, restrained within their proper orbits by the happy poise of their characters, came to cheer and to gladden a world that had been buried for ages in political night. They were heaven-called avengers of degraded man. They came to lift

him to the station for which God had formed him, and to put to flight those idiot superstitions with which tyrants had contrived to enthrall his reason and his liberty. And that Being who had sent them upon this mission, had fitted them pre-eminently for his glorious work. He filled their hearts with a love of country which burned strong within them, even in death. He gave them a power of understanding which no sophistry could baffle, no art elude, and a moral heroism which no dangers could appal. Careless of themselves, reckless of all personal consequences, trampling under foot that petty ambition of office and honor, which constitutes the master-passion of little minds, they bent all their mighty powers to the task for which they had been delegated—the freedom of their beloved country, and the restoration of fallen man. They felt that they were apostles of human liberty; and well did they fulfil their high commission. They rested not until they had accomplished their great work at home, and given such an impulse to the great ocean of mind, that they saw the waves rolling on the farthest shore before they were called to their reward—and then left the world hand in hand, exulting, as they rose, in the success of their labors. * * * * *

Hitherto, fellow-citizens, the Fourth of July had been celebrated among us only as the anniversary of our independence, and its votaries have been merely human beings. But at its last recurrence—the great jubilee of the nation—the anniversary, it may well be termed, of the liberty of man—Heaven itself mingled visibly in the celebration, and hallowed the day anew by a double apotheosis. Is there one among us to whom this language seems too strong? Let him recall his own feelings, and the objection will vanish. When the report first reached us, of the death of the great man whose residence was nearest, who among us that was not struck with the circumstance that he should have been removed on the day of his own highest glory? And who, after the first shock of the intelligence had passed, did not feel a thrill of mournful delight at the characteristic beauty of the close of such a life.

But while our bosoms were yet swelling with admiration at this singularly beautiful coincidence, when the second report immedi-

ately followed, of the death of the great sage of Quincy, *on the same day*—I appeal to yourselves—is there a voice that was not hushed, is there a heart that did not quail, at this close manifestation of the hand of Heaven in our affairs ! Philosophy, recovered of her surprise, may affect to treat the coincidence as fortuitous. But Philosophy herself was mute at the moment, under the pressure of the feeling that these illustrious men had rather been translated than had died.

It is in vain to tell us that men die by thousands every day in the year, all over the world. The wonder is not that two men have died on the same day, but that two such men, after having performed so many and such splendid services in the cause of liberty—after the multitude of other coincidences which seem to have linked their destinies together—after having lived so long together, the objects of their country's joint veneration—after having been spared to witness the great triumph of their toils at home—and looked together from Pisgah's top, on the sublime effect of that grand impulse which they had given to the same glorious cause throughout the world, should, on this fiftieth anniversary of the day on which they had ushered that cause into light, be both caught up to heaven together, in the midst of their raptures. Is there a being of heart so obdurate and skeptical, as not to feel the hand and hear the voice of Heaven in this wonderful dispensation ? And may we not, with reverence, interpret its language ? Is it not this ? "These are my beloved servants, in whom I am well pleased. They have finished the work for which I sent them into the world, and are now called to their reward. Go ye, and do likewise."

DECLARATION OF INDEPENDENCE.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and

of nature's God entitle them, a decent respect for the opinions of mankind requires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that when any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established, should not be changed for light and transient causes; and, accordingly, all experience has shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former system of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the

right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies, at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the meantime, exposed to all the danger of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of offices, and sent here swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others, to subject us to a jurisdiction, foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them by a mock trial, from punishment for any murder they should commit on the inhabitants of these states:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas, to be tried for pretended of fences :

For abolishing the free system of English law in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power, to legislate for us in all cases whatsoever :

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries, to complete the works of death, desolation and tyranny, already begun, with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms : our petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration

and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our commor. kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind—enemies in war;—in peace, friends.

We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Signed by order and in behalf of the Congress,

JOHN HANCOCK, *President.*

Attest. CHARLES THOMPSON, *Secretary.*

NEW HAMPSHIRE.

Josiah Bartlett,
William Whipple,
Mathew Thornton.

MASSACHUSETTS BAY.

Samuel Adams,
John Adams,
Robert Treat Paine,
Elbridge Gerry.

RHODE ISLAND.

Stephen Hopkins,
William Ellery.

CONNECTICUT.

Roger Sherman,
Samuel Huntington,
William Williams,
Oliver Wolcott.

NEW YORK.

William Floyd,
Philip Livingston,
Francis Lewis,
Lewis Morris.

NEW JERSEY.

Richard Stockton,

John Witherspoon,
Francis Hopkinson,
John Hart,
Abraham Clark.

PENNSYLVANIA.

Robert Morris,
Benjamin Rush,
Benjamin Franklin,
John Morton,
George Clymer,
James Wilson,
George Ross.

DELAWARE.

Cæsar Rodney,
Thomas M'Kean,
George Read.

MARYLAND.

Samuel Chase,
William Paa,
Thomas Stone,
Charles Carroll.

VIRGINIA.

George Wythe,
Richard Henry Lee,
Thomas Jefferson,
Benjamin Harrison,
Thomas Nelson, Jr.
Francis Lightfoot Lee,
Carter Braxton.

NORTH CAROLINA.

William Hooper,
Joseph Hewes,
John Penn.

SOUTH CAROLINA.

Edward Rutledge,
Thomas Heyward, Jr.
Thomas Lynch, Jr.
Arthur Middleton.

GEORGIA.

Button Gwinnett,
Lyman Hall,
George Walton.

CONSTITUTION OF THE UNITED STATES.

WE, THE PEOPLE OF THE UNITED STATES, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

OF THE LEGISLATIVE POWER.

§ 1. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

OF THE HOUSE OF REPRESENTATIVES.

§ 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states;

and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

OF THE SENATE.

§ 3. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at

the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.

The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two thirds of the members present.

Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

MANNER OF ELECTING MEMBERS.

§ 4. The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing senators.

CONGRESS TO ASSEMBLE ANNUALLY.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

POWERS OF THE HOUSE.

§ 5. Each house shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

§ 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

MANNER OF PASSING BILLS, ORDERS, &c.

§ 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States: if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

POWERS OF CONGRESS.

§ 8. The Congress shall have power;

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States:

To borrow money on the credit of the United States:

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures :

To provide for the punishment of counterfeiting the securities and current coin of the United States :

To establish post offices and post roads :

To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries :

To constitute tribunals inferior to the supreme court :

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations :

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years :

To provide and maintain a navy :

To make rules for the government and regulation of the land and naval forces :

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions :

To provide for organizing, arming, and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square), as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings :—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

LIMITATIONS OF THE POWER OF CONGRESS.

§ 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

LIMITATIONS OF THE POWERS OF THE INDIVIDUAL STATES.

§ 10. No state shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

No state shall, without the consent of the Congress, lay any

imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war, in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

THE EXECUTIVE POWER TO BE VESTED IN A PRESIDENT.

§ 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the vice-president, chosen for the same term, be elected as follows :

MANNER OF ELECTING THE PRESIDENT AND VICE-PRESIDENT.

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress ; but no senator, or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate ; the president of the senate shall, in presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted : the person having the greatest number of votes shall be the president, if such number be a major-

ity of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose, by ballot, one of them for president; and if no person have a majority, then, from the five highest on the list, the said house shall, in like manner, choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote: a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors, shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them, by ballot, the vice-president.*]

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

WHO MAY BE ELECTED PRESIDENT.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

IN CASE OF REMOVAL, ETC. OF THE PRESIDENT, HIS POWERS TO DEVOLVE ON VICE-PRESIDENT.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

* This paragraph is annulled.—See amendment, Article 12.

PRESIDENT'S COMPENSATION.—HIS OATH.

The president shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation :—

“ I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States.”

POWERS AND DUTIES OF THE PRESIDENT.

§ 2. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States : he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices ; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur ; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law : but the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions, which shall expire at the end of their next session.

§ 3. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their considera-

tion, such measures as he shall judge necessary and expedient ; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper ; he shall receive ambassadors and other public ministers ; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

HOW THE PRESIDENT, AND ALL CIVIL OFFICERS, MAY BE
REMOVED FROM OFFICE.

§ 4. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

OF THE JUDICIAL POWER.—CONCERNING THE JUDGES.

§ 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior ; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

EXTENT OF JUDICIAL POWER.

§ 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority ; to all cases affecting ambassadors, other public ministers, and consuls ; to all cases of admiralty and maritime jurisdiction ; to controversies to which the United States shall be a party ; to controversies between two or more states, between a state and citizens of another state, between citizens of different states ; between citizens of the same state, claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

OF THE ORIGINAL AND APPELLATE JURISDICTION OF THE
SUPREME COURT.

In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

OF TRIALS FOR CRIMES.—OF TREASON.

The trial of all crimes, except in cases of impeachment, shall be by jury ; and such trial shall be held in the state where the said crimes shall have been committed ; but when not committed within any state, the trial shall be at any such place or places as the Congress may by law have directed.

§ 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason ; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

FAITH TO BE GIVEN TO PUBLIC ACTS, ETC. OF THE STATES.

§ 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

PRIVILEGES OF CITIZENS.—FUGITIVES FROM JUSTICE TO BE
DELIVERED UP.

§ 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

PERSONS HELD TO SERVICE, OR LABOR, TO BE DELIVERED UP.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

NEW STATES MAY BE ADMITTED.

§ 3. New states may be admitted by the Congress into this Union, but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

DISPOSAL OF TERRITORY AND OTHER PROPERTY OF THE UNITED STATES.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

GUARANTEE AND PROTECTION OF THE STATES BY THE UNION.

§ 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

OF AMENDMENTS TO THE CONSTITUTION.

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

FORMER DEBTS AND ENGAGEMENTS TO REMAIN VALID.

All debts contracted, and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

THIS CONSTITUTION, THE LAWS AND TREATIES OF THE UNITED STATES, TO BE THE SUPREME LAW OF THE LAND.

This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

OATH TO SUPPORT THE CONSTITUTION.—NO RELIGIOUS TEST REQUIRED.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and

judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution: but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

WHEN THIS CONSTITUTION WILL TAKE EFFECT.

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the 17th day of September, in the year of our Lord 1787, and of the Independence of the United States of America, the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON, *President,*
and Deputy from Virginia.

NEW HAMPSHIRE.

John Langdon,
Nicholas Gilman.

MASSACHUSETTS.

Nathaniel Gorham,
Rufus King.

CONNECTICUT.

Wm. Samuel Johnson,
Roger Sherman.

NEW YORK.

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James Wilson,
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John Dickinson,
Richard Bassett,
Jacob Broom.

MARYLAND.

James M'Henry,
Daniel of St. Thomas Jenifer,
Daniel Carroll.

VIRGINIA.

John Blair,
James Madison, Jr.

NORTH CAROLINA.

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

SOUTH CAROLINA.

John Rutledge,
Charles C. Pinckney,
Charles Pinckney,
Pierce Butler.

GEORGIA.

William Few.
Abraham Baldwin.

Attest,

WILLIAM JACKSON, *Secretary.*

AMENDMENTS.

ARTICLE I.

FREE EXERCISE OF RELIGION.—FREEDOM OF PRESS.—RIGHT
TO PETITION.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

RIGHT TO BEAR ARMS.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE III.

NO SOLDIER TO BE BILLETED, EXCEPT, ETC.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in the time of war, but in a manner to be prescribed by law.

ARTICLE IV.

UNREASONABLE SEARCHES PROHIBITED.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,

shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

PROCEEDING IN CERTAIN CRIMINAL CASES.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

MODE OF TRIAL IN CRIMINAL CASES.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ARTICLE VII.

IN CIVIL CASES.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

CONCERNING BAIL, FINES AND PUNISHMENTS.

Excessive bail shall not be required, nor excessive fines imposed,
nor cruel and unusual punishments inflicted.

ARTICLE IX.

RIGHTS NOT ENUMERATED.

The enumeration in the constitution of certain rights, shall not
be construed to deny or disparage others retained by the people.

ARTICLE X.

POWERS RESERVED TO THE PEOPLE.

The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI.

LIMITATION OF THE JUDICIAL POWER.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII.

MANNER OF CHOOSING PRESIDENT AND VICE-PRESIDENT.

The electors shall meet in their respective states, and vote by ballot, for president and vice-president, one of whom at least, shall not be an inhabitant of the same state with themselves; they shall name, in their ballots, the person voted for as president, and

in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate.—The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in case of the death or other constitutional disability of the president.

The person having the greatest number of votes as vice-president, shall be the vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list, the senate shall choose the vice-president: a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

ON THE AMERICAN UNION.

GIANT aggregate of nations,
Glorious whole of glorious parts,
Unto endless generations
Live united, hands and hearts !
Be it storm or summer weather,
Peaceful calm or battle-jar,
Stand in beauteous strength together,
Sister states, as now ye are !

Every petty class-dissension,
Heal it up, as quick as thought,
Every paltry place pretension,
Crush it as a thing of naught !
Let no narrow private treason
Your great onward progress bar,
But remain, in right and reason,
Sister states, as now ye are !

Fling away absurd ambition !
People, leave that toy to kings !
Envy, jealousy, suspicion,
Be above such grovelling things !
In each other's joys delighted,
All your hate be—joys of war,
And by all means keep united
Sister states, as now ye are !

Were I but some scornful stranger,
Still my counsel would be just ;
Break the band, and all is danger,
Mutual fear and dark distrust.
But you know me for a brother,
And a friend who speaks from far,
Be at one then with each other,
Sister states, as now ye are !

' If it seems a thing unholy
Freedom's soil by slaves to fill,
Yet be just! and sagely, slowly,
Nobly, cure that ancient ill:
Slowly,—haste is fatal ever;
Nobly,—lest good faith ye mar;
Sagely,—not in wrath to sever
Sister states, as now ye are!

Charm'd with your commingled beauty
England sends the signal round,
"Every man must do his duty"
To redeem from bond the bound!
Then indeed your banner's brightness
Shining clear from every star
Shall proclaim your joint uprightness,
Sister states, as now ye are!

So, a peerless constellation
May those stars forever blaze!
Three-and-ten-times-three-fold nation,
Go ahead in power and praise!
Like the many-breasted goddess
Throned on her Ephesian car,
Be—one heart in many bodies!
Sister states, as now ye are!

M. F. TUPPER.

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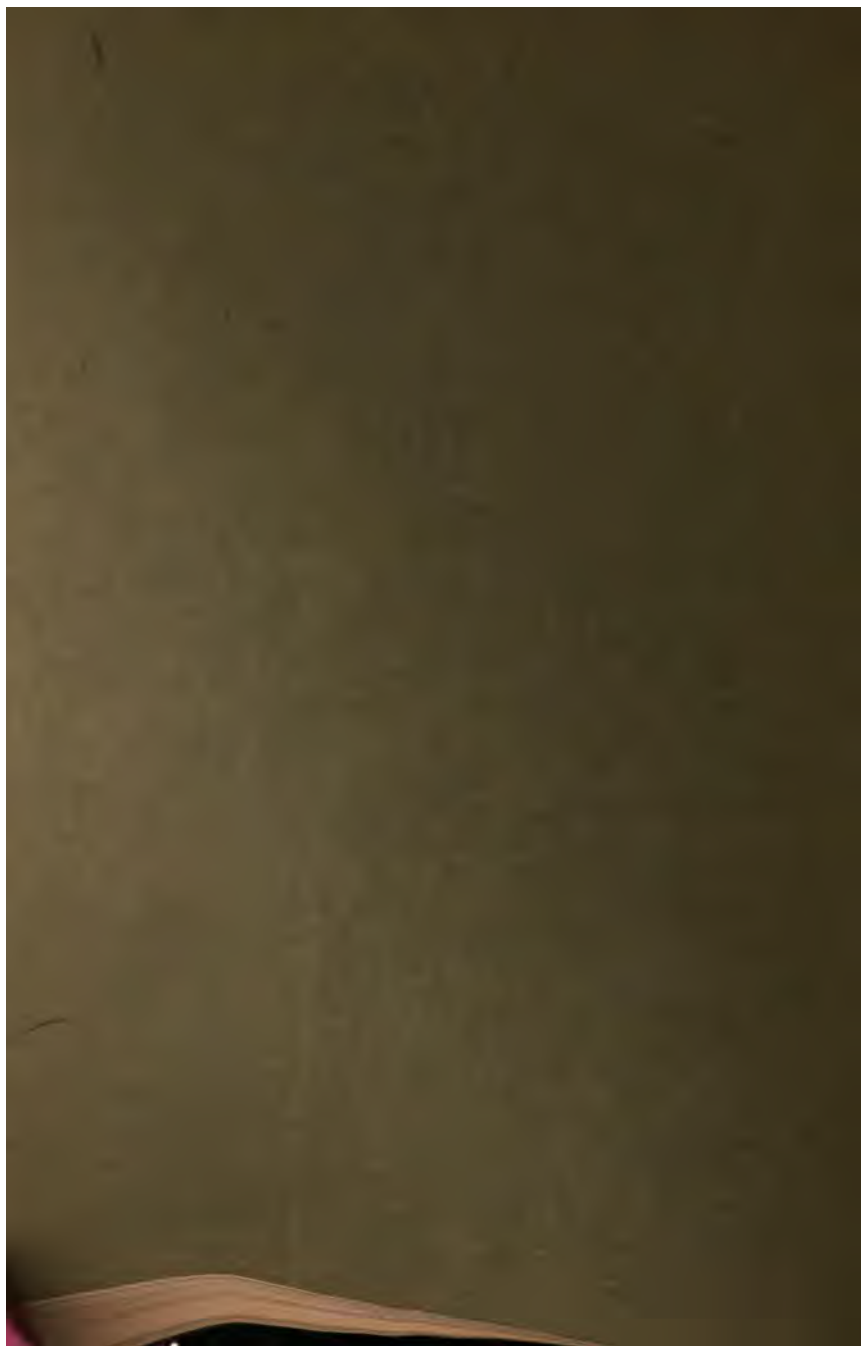
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